

Historic, archived document

Do not assume content reflects current scientific knowledge, policies, or practices.

LEGISLATIVE HISTORY

Public Law 87-425
S. 2533

TABLE OF CONTENTS

Index and summary of S. 2533.1
Digest of Public Law 87-4252

INDEX AND SUMMARY OF S. 2533

- Aug. 28, 1961 Rep. Breeding introduced H. R. 8914 which was referred to the House Agriculture Committee. Print of bill as introduced.
- Sept. 1, 1961 House subcommittee voted to report H. R. 8914 to the full committee.
- Sept. 7, 1961 House committee reported H. R. 8914 with amendments. H. Report No. 1149. Print of bill and report.
- Sept. 12, 1961 Sen. Carlson introduced S. 2533 which was referred to the Agriculture and Forestry Committee. Print of bill as introduced.
- Sept. 18, 1961 House defeated motion (213 to 149) to pass H. R. 8914 under suspension of the rules. (Although a majority voted for the bill, a two-thirds majority is necessary under a motion to suspend).
- Feb. 5, 1962 House passed over H. R. 8914 at request of Rep. Ford.
- Feb. 7, 1962 Senate committee voted to report S. 2533, but did not actually report.
- Feb. 8, 1962 Senate committee reported S. 2533 with amendments. S. Report No. 1208. Print of bill and report.
- Feb. 20, 1962 Senate passed S. 2533 as reported.
- Mar. 5, 1962 House passed over H. R. 8914 at request of Rep. Ford.
- Mar. 19, 1962 House passed over H. R. 8914.
- Mar. 21, 1962 House Rules Committee reported a resolution for the consideration of S. 2533. H. Res. 572. H. Report No. 1476. Print of resolution and report.
- Mar. 22, 1962 House passed S. 2533 without amendment in lieu of H. R. 8914.
- H. R. 8914 tabled due to passage of S. 2533.
- Mar. 30, 1962 Approved: Public Law 87-425.

Hearing: House Committee held executive session.

DIGEST OF PUBLIC LAW 87-425

PLANTING BARLEY ON DIVERTED SUMMER FALLOW LAND. Permits producers on farms on which summer fallow is a normal practice to plant bsrley on land devoted to summer fallow in 1961 which was intended for the production of wheat in 1962, but had to be put to other use due to the mandatory reduction in the 1962 farm wheat acreage allotment and any voluntary participation under the 1962 wheat diversion program, provided an over-all reduction of at least 20 percent is made in the 1962 acreage of corn, grain sorghums, and barley on the farm.

87TH CONGRESS
1ST SESSION

H. R. 8914

IN THE HOUSE OF REPRESENTATIVES

AUGUST 28, 1961

Mr. BREEDING introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend subsection (d) of section 16 of the Soil Conservation and Domestic Allotment Act, as amended.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That subsection (d) of section 16 of the Soil Conservation
4 and Domestic Allotment Act, as amended, is further amended
5 by adding the following at the end of paragraph (1) : "Not-
6 withstanding any other provision of law, a producer on a
7 farm where summer fallow is normal practice, shall be
8 deemed to have participated in the feed grain program for
9 corn, grain sorghum, and barley, if the sum of the acreages
10 of corn, grain sorghum, and barley, excluding malting barley,
11 on the farm in 1962 does not exceed 80 per centum of the

- 1 average acreage devoted on the farm to these three crops,
- 2 excluding malting barley, in the crop years 1959 and 1960.”

87TH CONGRESS
1ST SESSION
H. R. 8914

A BILL

To amend subsection (d) of section 16 of the
Soil Conservation and Domestic Allotment
Act, as amended.

By Mr. BREEDING

August 28, 1961
Referred to the Committee on Agriculture

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE
(For information only;
should not be quoted
or cited).

CONTENTS

Issued September 5, 1961
For actions of September 1, 1961
87th-1st, No. 153

Adjournment.....	22
Appropriations.....	1
Bulk commodities.....	16
Corn.....	24
Dairy research.....	26
Farm labor.....	9,21
Farm program.....	27
Fish farming.....	25
Fisheries.....	12
Food.....	19
Foreign aid.....	1,20
Foreign currencies.....	29
Foreign trade.....	6,28
Hams.....	13
Housing.....	21
Legislative program...8,21	
Manpower.....	23

Perishable commodities..10	Small business.....16
Personnel.....7,17	Transportation.....11
Poultry.....4	Watersheds.....15
Reclamation.....18	Wetlands.....5
Recreation.....3	Wheat.....2
Schools.....21	Wilderness.....14,21

Senate passed bills to: Exempt certain migratory labor children from Fair Labor Standards Act; establish National Citizens Council on Migratory Labor. House committee reported foreign aid appropriation bill. House subcommittee voted to report bill for participation in feed grains program of farms on which summer fallow is practiced. House received amendment to budget for foreign aid appropriations. Sen. Neuberger commended USDA decision on watered hams.

HOUSE

- 1. APPROPRIATIONS.** The Appropriations Committee reported H. R. 9033, the foreign aid appropriation bill (H. Rept. 1107). p. 16773
Received from the President "amendments to the budget for the fiscal year 1962 involving an increase in appropriations in the amount of \$1,200 million for the Agency for International Development" (H. Doc. 230); to Appropriations Committee. p. 16773
Received from the President "proposed supplemental appropriations in the amount of \$8,414,000 for various agencies of the executive branch" (H. Doc. 231) to Appropriations Committee. p. 16773
- 2. WHEAT.** The "Daily Digest" states that "Committee on Agriculture: Subcommittee on Wheat and Subcommittee on Livestock and Feed Grains held a joint meeting and ordered reported favorably to the full committee H. R. 8914 (amended), to amend the Soil Conservation and Domestic Allotment Act in regard to summer fallow." p. D801

3. RECREATION. The Agriculture Committee reported with amendments H. R. 4934, to authorize the Secretary of Agriculture to modify certain leases entered into for the provision of recreation facilities in reservoir areas (H. Rept. 1104). p. 16773
4. POULTRY. The Agriculture Committee reported with amendments H. R. 7866, to extend the Poultry Products Inspection Act to Puerto Rico (H. Rept. 1105). p. 16773
5. WETLANDS. The Agriculture Committee reported with amendments H. R. 8520, to limit financial and technical assistance for drainage of certain wetlands (H. Rept. 1106). p. 16773
6. FOREIGN TRADE. Both Houses received from the President the fifth annual report on the trade agreements program (H. Doc. 234). pp. 16755, 16774
The Ways and Means Committee reported with amendments H. R. 7692, to amend the Tariff Act of 1930 to require certain new packages of imported articles to be marked to indicate the country of origin (H. Rept. 1102). p. 16773
7. PERSONNEL. The Subcommittee of the Post Office and Civil Service Committee voted to report to the full committee H. R. 8565, to permit certain Government employees to elect to receive compensation in accordance with the Federal Employees Pay Act in lieu of certain compensation at a saved rate. p. D801
8. LEGISLATIVE PROGRAM. It was agreed that the public works appropriation bill will be considered on Thurs., Sept. 7. p. 16756

SENATE

9. FARM LABOR. Passed with amendments S. 1132, to provide for the establishment of a National Advisory Council on Migratory Labor to advise the President and the Congress with respect to all matters relating to migratory agricultural labor. pp. 16855-6
Passed with amendments S. 1123, to amend the Fair Labor Standards Act so as to provide that a child may be employed in agricultural work outside of school hours if he is employed by his parents on the home farm, or if he is 16 years of age or over, or if he is between 12 and 14 years of age and works within 25 miles of his home with the written consent of his parents or if his parent or person standing in the place of his parent is also employed on the same farm. pp. 16856-61
10. PERISHABLE COMMODITIES. Passed with amendments S. 1037, to amend the Perishable Agricultural Commodities Act so as to improve and clarify provisions dealing with the eligibility for license of persons guilty of specified acts and persons affiliated with them; authorize an increase of license fees from \$25 per year to \$50, except for retail dealers and brokers of frozen fruits and vegetables; eliminate the Export Apple and Pear Act from the acts administered with license fees received under the Perishable Agricultural Commodities Act and authorize appropriations to carry out the Export Apple and Pear Act; regulate the use of trade names by licensees to prevent deception; provide that opportunity for an oral hearing need not be provided in reparation cases unless the amount in dispute exceed \$1,500 (instead of the present \$500); make it clear that in an appeal from a reparation order bond must be filed within 30 days after entry of the order and provide that the bond shall be in cash, negotiable securities, or the undertaking of a recognized surety company; and defer license suspension in case of appeal until all judicial appeals have ended. pp. 16802-4

CIVIL SERVICE RETIREMENT FUND

Committee on Post Office and Civil Service: The Retirement Subcommittee held hearings to consider House amendments to S. 739, relating to the rate of interest to be paid by the Treasury on money borrowed by it from

the civil service retirement fund. Witnesses heard were Representative Morrison; Robert A. Wallace, Special Assistant to the Secretary of the Treasury; Frederick J. Lawton, member, Civil Service Commission; and Phillip S. Hughes, Bureau of the Budget.

House of Representatives

Chamber Action

Bills Introduced: 11 public bills, H.R. 9022-9031, and 9033; and 1 private bill, H.R. 9032, were introduced.

Page 16773

Bills Reported: Reports were filed as follows:

H.R. 7692, to require certain new packages of imported articles to be marked to indicate the country of origin, amended (H. Rept. 1102);

H.R. 8876, to amend the Internal Revenue Code of 1954 to permit the use of identifying numbers (H. Rept. 1103);

H.R. 4934, to authorize the Secretary of Agriculture to modify certain leases entered into for the provision of recreation facilities in reservoir areas (H. Rept. 1104);

H.R. 7866, to amend the Poultry Products Inspection Act to extend the application thereof to the Commonwealth of Puerto Rico (H. Rept. 1105);

H.R. 8520, to amend the Soil Conservation and Domestic Allotment Act, as amended, to limit financial and technical assistance for drainage of certain wet lands (H. Rept. 1106); and

H.R. 9033, making appropriations for foreign assistance and related agencies for fiscal year 1962 (H. Rept. 1107).

Page 16773

Calendar Wednesday: Agreed to dispense with Calendar Wednesday business of September 6.

Page 16754

Subcommittee To Sit: The Subcommittee on Printing of the Committee on House Administration was authorized to sit during general debate on Tuesday next.

Pages 16754-16755

Veto Message: Received and read a veto message from the President on H.R. 4640, a private bill. The bill and message were referred to the Committee on the Judiciary and ordered printed as a House document (H. Doc. 235).

Pages 16755-16756

Public Works Appropriation: Agreed to make in order on Thursday, September 7, the consideration of the public works appropriation bill for fiscal year 1962.

Page 16756

Program for Tuesday: Adjourned at 12:24 p.m. until Tuesday, September 5, at 12 o'clock noon. For program see Congressional Program Ahead in this DIGEST.

Committee Meetings

SUMMER FALLOW

Committee on Agriculture: Subcommittee on Wheat and Subcommittee on Livestock and Feed Grains held a joint meeting and ordered reported favorably to the full committee H.R. 8914 (amended), to amend the Soil Conservation and Domestic Allotment Act in regard to summer fallow.

CUBA

Committee on Interstate and Foreign Commerce: Held a hearing on H.R. 8465, to prohibit the shipment in interstate or foreign commerce of articles imported into the U.S. from Cuba. Testimony was given by Senator Smathers; Representatives Halpern and Edmondson; Rowland Burnstán, Assistant Secretary of International Affairs, Department of Commerce; and public witnesses.

FEDERAL EMPLOYEES PAY ACT

Committee on Post Office and Civil Service: Subcommittee, in executive session, ordered reported favorably to the full committee H.R. 8565, to permit certain Government employees to elect to receive compensation in accordance with the Federal Employees Pay Act in lieu of certain compensation at a saved rate.

Prior to taking action the subcommittee heard testimony, in an open hearing on the bill, from Department of Navy officials; and representatives of employee organizations.

BILLS SIGNED BY THE PRESIDENT

New Laws

(For last listing of public laws, see DIGEST, p. D795, August 31, 1961)

S. 1289, to eliminate the oath requirement with respect to certain export manifests. Signed August 31, 1961 (P.L. 87-191).

S. 2034, to reorganize certain administrative functions of the FCC. Signed August 31, 1961 (P.L. 87-192).

S. 98, to provide water and sewage facilities to the Medora area adjoining the Theodore Roosevelt National Memorial Park, N. Dak. Signed August 31, 1961 (P.L. 87-193).

CONGRESSIONAL PROGRAM AHEAD

Week of September 4-9

(Committee meetings are open unless otherwise indicated)

Senate Chamber

For program next week see item entitled "Legislative Program" under "Senate Chamber" on first page of this DIGEST.

Senate Committees

Committee on Agriculture and Forestry: September 5, subcommittee, executive, on three pending watershed projects, 10 a.m., 324 Old Senate Office Building;

September 6, full committee, executive, on committee business, 10 a.m., 324 Old Senate Office Building.

Committee on Appropriations: September 5 and 6, to continue its executive hearings on fiscal 1962 budget estimates for the foreign-aid program, 10:30 a.m., 1223 New Senate Office Building;

September 7, Public Works Subcommittee, to hear officials of the Corps of Army Engineers, 10 a.m., room F-39, Capitol;

September 8, Independent Offices Subcommittee, 10 a.m. to hear officials of the AEC, and 2 p.m. to hear officials of the TVA, room F-39, Capitol.

Committee on Armed Services: September 6, to hear Secretary of Defense McNamara testify with regard to his Department's policies applicable to the subject matter of S. Res. 191, authorizing the committee to study the use of military personnel and facilities to arouse the public to the menace of the cold war, 10 a.m., 318 Old Senate Office Building.

Committee on Commerce: September 6, executive, on committee business, 9 a.m., 5112 New Senate Office Building.

Committee on Foreign Relations: September 5, to resume executive consideration of S. 2180, to establish a U.S. Disarmament Agency, 2:30 p.m., room F-53, Capitol.

Committee on Government Operations: September 7, Permanent Subcommittee on Investigations, to resume its hearings on gambling, 10 a.m., 3302 New Senate Office Building.

Committee on Interior and Insular Affairs: September 5, executive, on the nomination of Philleo Nash, to be Commissioner of Indian Affairs, 10 a.m., 3110 New Senate Office Building;

September 6, executive, on committee business, 10 a.m., 3110 New Senate Office Building.

Committee on the Judiciary: September 5, on the nomination of William H. Becker, to be U.S. district judge for the western district of Missouri, 10 a.m., 2228 New Senate Office Building;

September 6, subcommittee, on the nominations of Raymond E. Plummer, to be U.S. district judge for the district of Alaska, and Albert L. Stephens, Jr., to be U.S. district judge for the southern district of California, 10:30 a.m., 2300 New Senate Office Building;

September 6 and 7, Antitrust and Monopoly Subcommittee, to hold hearings on several bills to strengthen penalties under the antitrust laws (S. 906 and S. 2252-2255), Wednesday at 9:30 a.m., and Thursday at 10 a.m., 2228 New Senate Office Building;

September 8, subcommittee, on the nomination of James R. Martin, Jr., to be U.S. district judge for the eastern and western districts of South Carolina, 10:30 a.m., 2300 New Senate Office Building.

Committee on Labor and Public Welfare: September 6, Subcommittee on Education, executive, on bills authorizing Federal aid for higher education, 9 a.m., 4232 New Senate Office Building.

Committee on Post Office and Civil Service: September 6, executive, on S. 1732, supergrade bill, and postmaster nominations, 10:30 a.m., 6200 New Senate Office Building.

Committee on Public Works: September 8, on S. 520, to modify the Kaskaskia River project, Illinois, to be followed by executive on S. 856, granting consent of Congress to the Delaware River Basin compact, 10 a.m., 4200 New Senate Office Building.

Committee on Rules and Administration: September 6, executive, on committee business, 10 a.m., 301 Old Senate Office Building.

House Chamber

Monday, Labor Day (no session).

Tuesday, after calling the Private Calendar the House will consider the bill making appropriations for the Mutual Security Program for fiscal year 1962 (also on Wednesday if not completed).

Wednesday, after calling the Consent Calendar the following 24 bills will be considered under motions to suspend the rules:

H.R. 9000, to extend for 2 additional years the expired provisions of Public Laws 815 and 874, 81st Congress, and the National Defense Education Act of 1958;

H.R. 8723, to amend the Welfare and Pension Plan Disclosure Act with respect to the method of enforcement and to provide certain additional sanctions;

H.R. 8597, to amend the Railroad Retirement Act of 1937 to provide reduced annuities to male employees who have attained age 62;

S. 2051, relating to education of war orphans in the Philippines;

H.R. 8291, to amend the act of July 14, 1960, enabling the United States to participate in the resettlement of certain refugees;

S. 2237, to permit entry of certain eligible alien orphans;

H.R. 6145, 1-year postponement of reduced credits against Federal unemployment tax;

S. Con. Res. 14, saluting "Uncle Sam" Wilson, of Troy, N.Y., as the progenitor of America's national symbol of "Uncle Sam";

H.R. 6630, relating to conveyance of certain parts of rights-of-way by railroad companies;

S. 200, relating to employment for certain Indians on or near Indian reservations;

H.J. Res. 459, providing for the protection and preservation of certain lands in Prince Georges and Charles Counties, Md.;

H.R. 8870, Small Business Investment Act amendments of 1961;

H.R. 8762, relating to increase in small business loan authority;

H.R. 8632, to amend the Merchant Marine Act relative to the exchange of vessels;

H.R. 2488, to provide for licensing independent ocean freight forwarders;

11. PASSED OVER the following bills:
- H. R. 6775, to provide for the operation of steamship conferences. p. 17305
 - H. R. 6141, to limit to cases involving the national security the prohibition on payment of retirement annuities to retired Federal employees. p. 17305
 - S. 1633, to provide for the establishment of a Department of Urban Affairs and Housing. p. 17309
12. LEGISLATIVE PROGRAM. Sen. Mansfield stated that S. 2180, to establish a U. S. Disarmament Agency for World Peace and Security, will be considered next, followed by consideration of the Mexican farm labor bill. p. 17414

HOUSE

13. APPROPRIATIONS. Received the conference report on H. R. 7035, the Labor-HEW appropriation bill (H. Rept. 1154) (pp. 17429-31). The bill includes \$20,250,000 for the Office of Vocational Rehabilitation. Conferees were granted until midnight Fri., Sept. 8, to file a conference report on H. R. 8302, the military construction appropriation bill. p. 17493
14. RICE. The Agriculture Committee reported without amendment H. R. 9013, to provide for the transfer of rice acreage history where a producer withdraws from the production of rice (H. Rept. 1150). p. 17495
15. CONSERVATION. The Agriculture Committee reported with amendments H. R. 8914, to permit producers on farms on which summer fallow is a normal practice to plant barley on land devoted to summer fallow during 1961 which is diverted from wheat under the 1962 Wheat Stabilization Program provided an overall reduction of 20% is made in corn, grain sorghums, and barley (H. Rept. 1149). p. 17495
16. WHEAT. The Agriculture Committee reported with amendments H. R. 8842, to permit a wheat producer to withdraw from his stored excess the amount of wheat by which he fails to make his normal production on the reduced acreage allotment, less the acres voluntarily retired below the allotment (H. Rept. 1148). p. 17495
17. SUPERGRADES. The Post Office and Civil Service Committee voted to report (but did not actually report) with amendments H. R. 7377, to increase the limitation on the number of supergrades, and on the number of research and development positions of scientists and engineers for which special rates of pay are authorized (p. D825). The committee was granted until midnight Thurs., Sept. 7, to file a report on this bill (p. 17423).
18. WATERFOWL. Disagreed to the Senate amendments and conferees were appointed on H. R. 7391, to promote the conservation of migratory waterfowl by the acquisition of wetlands and other essential waterfowl habitat. p. 17426
19. POSTAL RATES. The Post Office and Civil Service Committee reported with amendment H. R. 7927, to adjust postal rates (H. Rept. 1155). p. 17495

20. PERSONNEL. The Post Office and Civil Service Committee ordered favorably reported H. R. 8565, to permit certain Government employees to elect to receive compensation in accordance with section 401 of the Federal Employees Pay Act of 1945, in lieu of certain compensation at a saved rate. pp. D824-5
21. FOREIGN TRADE. The Post Office and Civil Service Committee ordered favorably reported H. R. 7791, to provide for the collection and publication of foreign commerce and trade statistics. p. D825
Passed as reported H. R. 7692, to amend section 304 of the Tariff Act to provide that when articles, which are imported in containers that are now required to be marked to show in English the name of the country of origin of such articles, are repackaged in the U. S. and offered for sale, the new packages shall be marked to show the country from which the materials originally came. pp. 17427-9
Agreed to without amendment H. Res. 403, to create a select committee to conduct an investigation and study of the administration, operation, and enforcement of the Export Control Act of 1949. pp. 17433-45
22. TRANSPORTATION. Agreed to the Senate amendment to H. R. 6732, to amend the Merchant Marine Act, 1936, as amended, to encourage the construction and maintenance of American-flag vessels built in American shipyards. This bill will now be sent to the President. p. 17446
23. PEACE CORPS. Rep. Dorn stated that the proposal to establish a Peace Corps is wrought with potential danger to U. S. prestige by sending inadequately trained and indoctrinated personnel into foreign countries. pp. 17446-7
The Rules Committee reported a resolution for consideration of H. R. 7500, to provide for a Peace Corps to help the peoples of interested countries and areas in meeting their needs for skilled manpower. p. 17495
24. ELECTRIFICATION. Rep. Saylor criticized what he termed "an unholy alliance between the fanatical public power zealots and the Bureau of Reclamation who are using the reclamation program for the promotion of subsidized Government power." pp. 17450-7
Rep. Ashbrook said the Government's "getting deeper" into the electric power business is a "serious and dangerous trend which can and must be reversed." pp. 17461-3
25. LEGISLATIVE PROGRAM. Rep. Albert announced that the Labor-HEW and the military construction appropriations conference reports will be considered on Monday; the public works appropriation bill on Tuesday; the conference report on Atomic Energy Commission appropriations authorization, the Peace Corps bill, H. R. 6360, relating to an additional Assistant Secretary of Commerce, and the supplemental appropriation bill for 1962, on Wednesday and the balance of the week. pp. 17481-2
26. ADJOURNED until noon Monday, September 11.

ITEMS IN APPENDIX

27. FARM PROGRAM. Extension of remarks of Sen. Wiley inserting an article in which a Wisc. dairyman reports on a tour of farm areas in Soviet countries. pp. A7035-6
Extension of remarks of Rep. Alexander inserting Under Secretary Murphy's address before the annual meeting of the North Carolina Feeder Manufacturers Association, Virginia Beach, Va. pp. A7061-3

PARTICIPATION IN 1962 FEED GRAIN PROGRAM

SEPTEMBER 7, 1961.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. COOLEY, from the Committee on Agriculture, submitted the following

R E P O R T

[To accompany H.R. 8914]

The Committee on Agriculture, to whom was referred the bill (H.R. 8914) to amend subsection (d) of section 16 of the Soil Conservation and Domestic Allotment Act, as amended, having considered the same, report favorably thereon with amendments and recommend that the bill do pass.

The amendments are as follows:

Strike out all after the enacting clause and insert:

That section 105(c)(4) of the Agricultural Act of 1949 is amended by changing the parenthetical statement in the first sentence to read as follows: "(except in the case of a producer of malting barley as hereinafter described and except in the case of a producer of barley on a summer-fallow farm as hereinafter described)", and by changing the period at the end of such section to a colon and adding the following: "Provided further, That no producer of barley on a farm where summer fallow is the normal practice shall be required to participate in the special agricultural conservation program for 1962 for barley if he (i) does not knowingly devote an acreage on the farm to barley in excess of the average acreage devoted on the farm to barley in 1959 and 1960 plus the acreage devoted to summer fallow in 1961 which is diverted from the production of wheat under the special 1962 wheat program, and (ii) does not knowingly devote an acreage on the farm to corn, grain sorghums, and barley in excess of 80 per centum of the average acreage devoted on the farm to corn, grain sorghums, and barley in 1959 and 1960."

SEC. 2. Section 16(d)(1) of the Soil Conservation and Domestic Allotment Act is amended by changing the parenthetical statement in the second sentence to read as follows: "(other than a producer of malting barley as described in section 105(c)(4) of the Agricultural Act of 1949, or a producer of barley on a summer-fallow farm as described in such section)".

PURPOSE

The purpose of this bill is to permit wheat farmers in the summer fallow wheat area who also produce feed grains to participate in both

the wheat and the feed grain reduction program for 1962 on an equitable basis.

NEED FOR THE LEGISLATION

In areas where wheat is planted on a summer fallow rotation, land had already been fallowed in preparation for seeding wheat before the enactment of the 1962 wheat program, which requires a reduction of 10 percent in wheat acreage. Unless the land which has been fallowed this year is seeded to a cover crop this fall, it is subject to serious wind erosion. In much of this summer fallow area, farmers also produce feed grains, chiefly grain sorghums, which are planted in the spring. This bill will permit a farmer who produces both wheat and grain sorghum and who wants to participate both in the wheat reduction and the feed grain reduction programs for 1962 to plant his acreage which has been prepared for wheat but cannot be planted to wheat this fall in barley and to count that as part of his feed grain planting for 1962, in lieu of the feed grain which would normally be planted next spring.

COST

The committee is not aware of any additional direct cost to the Government as a result of enactment of this legislation but it believes it will bring about a wider participation in the feed grain reduction program, in which case there would be the additional cost to that program resulting from the additional participation.

DEPARTMENTAL APPROVAL

The following is a letter from the Department of Agriculture recommending enactment of the bill if amended as recommended by the Department. The amendment has been adopted.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., September 6, 1961.

HON. HAROLD D. COOLEY,
Chairman, Committee on Agriculture,
House of Representatives.

DEAR MR. COOLEY: This is in reply to your request of August 29, 1961, for a report on H.R. 8914, a bill to amend subsection (d) of section 16 of the Soil Conservation and Domestic Allotment Act, as amended.

We understand that the purpose of H.R. 8914 is to permit producers on farms on which summer fallow is a normal practice to plant barley on land devoted to summer fallow during 1961 which is diverted from wheat under the 1962 wheat stabilization program provided an overall reduction of 20 percent is made in corn, grain sorghums, and barley.

We recognize the problem of erosion on fallow land and would favor H.R. 8914 if it were amended in accordance with the attached draft legislation. Under the attached draft legislation, a producer of barley on a summer fallow farm would be eligible for price support on barley and on corn and grain sorghums even though he exceeded his average acreage of barley in 1959 and 1960 as a result of planting barley on land devoted to summer fallow in 1961 which is diverted from the production of wheat in 1962, provided he makes an overall reduction of 20 percent in his corn, grain sorghums, and barley. He

would in such case also be eligible for feed grain payments on 50 percent of the normal production of the acreage so diverted from corn and grain sorghums.

In view of the request that the report be submitted immediately, we have not obtained advice of the Bureau of the Budget regarding the report.

Sincerely yours,

CHARLES S. MURPHY, *Acting Secretary.*

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, existing law in which no change is proposed is shown in roman):

SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT, AS AMENDED

* * * * *

LIMITATION ON OBLIGATIONS INCURRED

SEC. 16. (a) The obligations incurred for the purpose of carrying out for any calendar year, the provisions of section 7 to 14, inclusive, of this Act shall not exceed \$500,000,000.

GREAT PLAINS CONSERVATION PROGRAM

(b) Notwithstanding any other provision of law—

(1) the Secretary is authorized, within the amounts of such appropriations as may be provided therefor, to enter into contracts of not to exceed ten years with producers in the Great Plains area determined by him to have control for the contract period of the farms or ranches covered thereby. Such contracts shall be designed to assist farm and ranch operators to make, in orderly progression over a period of years, changes in their cropping systems and land uses which are needed to conserve the soil and water resources of their farms and ranches and to install the soil and water conservation measures needed under such changed systems and uses. Such contracts shall be in effect during the period ending not later than December 31, 1971, on farms and ranches in counties in the Great Plains area of the States of Colorado, Kansas, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, and Wyoming, designated by the Secretary as susceptible to serious wind erosion by reason of their soil types, terrain, and climatic and other factors. The producer shall furnish to the Secretary a plan of farming operations which incorporates such soil and water conservation practices and principles as may be determined by him to be practicable for maximum mitigation of climatic hazards of the area in which the farm is located, and which outlines a schedule of proposed changes in cropping systems and land use and of the conservation measures which are to be carried out on the farm or ranch during the contract period to protect the farm or ranch from

erosion and deterioration by natural causes. Under the contract the producer shall agree—

(i) to effectuate the plan for his farm or ranch substantially in accordance with the schedule outlined therein unless any requirement thereof is waived or modified by the Secretary pursuant to paragraph (3) of this subsection;

(ii) to forfeit all rights to further payments or grants under the contract and refund to the United States all payments or grants received thereunder upon his violation of the contract at any stage during the time he has control of the farm if the Secretary determines that such violation is of such a nature as to warrant termination of the contract, or to make refunds or accept such payment adjustments as the Secretary may deem appropriate if he determines that the producer's violation does not warrant termination of the contract;

(iii) upon transfer of his right and interest in the farm or ranch during the contract period to forfeit all rights to further payments or grants under the contract and refund to the United States all payments or grants received thereunder unless the transferee of the farm or ranch agrees with the Secretary to assume all obligations of the contract;

(iv) not to adopt any practice specified by the Secretary in the contract as a practice which would tend to defeat the purposes of the contract;

(v) to such additional provisions as the Secretary determines are desirable and includes in the contract to effectuate the purpose of the program or to facilitate the practical administration of the program.

In return for such agreement by the producer the Secretary shall agree to share the cost of carrying out those conservation practices set forth in the contract for which he determines that cost-sharing is appropriate and in the public interest. The portion of such cost (including labor) to be shared shall be that part which the Secretary determines is necessary and appropriate to effectuate the physical installation of the conservation measures under the contract;

(2) the Secretary may terminate any contract with a producer by mutual agreement with the producer if the Secretary determines that such termination would be in the public interest, and may agree to such modification of contracts previously entered into as he may determine to be desirable to carry out the purposes of the program or facilitate the practical administration thereof;

(3) insofar as the acreage of cropland on any farm enters into the determination of acreage allotments and marketing quotas under the Agricultural Adjustment Act of 1938, as amended, the cropland acreage on the farm shall not be decreased during the period of any contract heretofore or hereafter entered into under this subsection by reason of any action taken for the purpose of carrying out such contract and, under regulations of the Secretary, shall not be decreased, for such period after the expiration of the contract as is equal to the period of the contract, by reason of the maintenance of any change in land use from cultivated cropland to permanent vegetation carried out under the contract;

(4) the acreage on any farm which is determined under regulations of the Secretary to have been diverted from the production of any commodity subject to acreage allotments or marketing quotas in order to carry out any contract heretofore or hereafter entered into under the program or in order to maintain, for such period after the expiration of the contract as is equal to the period of the contract, any change in land use from cultivated cropland to permanent vegetation carried out under the contract shall be considered acreage devoted to the commodity for the purposes of establishing future State, county, and farm acreage allotments under the Agricultural Adjustment Act of 1938, as amended.

(5) in applying the provisions of paragraph (6) of Public Law 74, Seventy-seventh Congress (7 U.S.C. 1340(6)), relating to the reduction of storage amount of wheat, any acreage diverted from the production of wheat under the program carried out under this subsection shall be regarded as wheat acreage;

(6) the Secretary shall utilize the technical services of agencies of the Department of Agriculture in determining the scope and provisions of any plan and the acceptability of the plan for effectuating the purposes of the program. In addition the Secretary shall take into consideration programs of State and local agencies, including soil conservation districts, having for their purposes the objectives of maximum soil and water conservation;

(7) there is hereby authorized to be appropriated without fiscal year limitations, such sums as may be necessary to carry out this subsection: *Provided*, That the total cost of the program (excluding administrative costs) shall not exceed \$150,000,000, and for any program year payments shall not exceed \$25,000,000.

The funds made available for the program under this subsection may be expended without regard to the maximum payment limitation and small payment increases required under section 8(e) of this Act, and may be distributed among States without regard to distribution of funds formulas of section 15 of this Act. The program authorized under this subsection shall be in addition to, and not in substitution of, other programs in such area authorized by this or any other Act.

(c) Notwithstanding any other provision of law—

(1) The Secretary shall formulate and carry out a special agricultural conservation program for 1961, without regard to provisions which would be applicable to the regular agricultural conservation program, under which, subject to such terms and conditions as the Secretary determines, conservation payments in amounts determined by the Secretary to be fair and reasonable shall be made to producers who divert acreage from the production of corn and grain sorghums to an approved conservation use and increase their average acreage devoted in 1959 and 1960 to designated soil conserving crops or practices by an equal amount: *Provided, however*, That any producer may elect in lieu of such payment to devote such diverted acreage to castor beans, safflower, sunflower, or sesame, if designated by the Secretary. Such special agricultural conservation program shall require the producer to take such measures as the Secretary may deem appropriate to keep such diverted acreage free from insects, weeds, and rodents. The acreage eligible for payments in cash or in an

equivalent amount in kind under such conservation program shall be an acreage equivalent to 20 per centum of the average acreage on the farm planted to corn and grain sorghums in the crop years 1959 and 1960 or up to twenty acres, whichever is greater. Such payments in cash or in kind at the basic county support rate may be made on an amount of corn and grain sorghums not in excess of 50 per centum of the normal production of the acreage diverted from corn and grain sorghums on the farm based on its average yield per acre for the 1959 and 1960 crop acreage. Payments in kind only may be made by the Secretary for the diversion of up to an additional 20 per centum of such corn and grain sorghum acreage. Payments in kind on such additional acreage may be made at the basic county support rate on an amount of corn and grain sorghums not in excess of 60 per centum of the normal production of the acreage diverted from corn and grain sorghums on the farm based on its average yield per acre for the 1959 and 1960 crop acreage. The Secretary may make such adjustments in acreage and yields for the 1959 and 1960 crop years as he determines necessary to correct for abnormal factors affecting production, and to give due consideration to tillable acreage, crop rotation practices, type of soil, and topography. The Secretary may make not to exceed 50 per centum of any payments to producers in advance of determination of performance.

(2) There are hereby authorized to be appropriated such amounts as may be necessary to enable the Secretary to carry out this section 16(c). Obligations may be incurred in advance of appropriations therefor and the Commodity Credit Corporation is authorized to advance from its capital funds such sums as may be necessary to pay administrative expenses in connection with such program during the fiscal year ending June 30, 1961, and to pay such costs as may be included in carrying out section 3 of the Act which added this subsection to this Act.

(3) The Secretary shall provide by regulations for the sharing of payments under this subsection among producers on the farm on a fair and equitable basis and in keeping with existing contracts.

(d) Notwithstanding any other provision of law—

(1) The Secretary shall formulate and carry out a special agricultural conservation program for 1962, without regard to provisions which would be applicable to the regular agricultural conservation program, under which, subject to such terms and conditions as the Secretary determines, conservation payments in amounts determined by the Secretary to be fair and reasonable shall be made to producers who divert acreage from the production of corn and grain sorghums, and barley, respectively, to an approved conservation use and increase their average acreage of cropland devoted in 1959 and 1960 to designated soil conserving crops or practices including summer fallow and idle land by an equal amount: *Provided, however,* That any producer may elect in lieu of such payment to devote such diverted acreage to castor beans, guar, safflower, sunflower, or sesame, if designated by the Secretary. In order to be eligible for a payment, a producer (other than a producer of malting barley as described in section 105(c)(4) of the Agricultural Act of 1949) who par-

ticipates in the special agricultural conservation program of 1962 for corn and grain sorghums must not knowingly devote an acreage on the farm in excess of the average acreage devoted on the farm to barley in 1959 and 1960, and a producer who participates in the special agricultural conservation program for 1962 for barley must not knowingly devote an acreage on the farm to corn and grain sorghums in excess of the average acreage devoted on the farm to corn and grain sorghums in 1959 and 1960. Such special agricultural conservation program shall require the producer to take such measures as the Secretary may deem appropriate to keep such diverted acreage free from insects, weeds, and rodents. The acreage eligible for payments in cash or in an equivalent amount in kind under such conservation program shall be an acreage equivalent to 20 per centum of the average acreage on the farm planted to corn and grain sorghums, or barley, in the crop years 1959 and 1960 or up to twenty acres, whichever is greater. Such payments in cash or in kind at the basic county support rate for the 1961 crop in effect at the time payment rates for the special feed grain program for 1962 are established, adjusted to reflect any changes between the national support rates for the 1961 and 1962 crops may be made on an amount of the commodity not in excess of 50 per centum of the normal production of the acreage diverted from the commodity on the farm based on its adjusted average yield per acre for the 1959 and 1960 crop acreage. Payments in kind only may be made by the Secretary for the diversion of up to an additional 20 per centum of the average acreage on the farm planted to corn and grain sorghums, or barley, in the crop years 1959 and 1960. Payments in kind on such additional acreage may be made at the basic county support rate for the 1961 crop in effect at the time payments rates for the special feed grain program for 1962 are established, adjusted to reflect any changes between the national support rates for the 1961 and 1962 crops on an amount of corn and grain sorghums, or barley, not in excess of 60 per centum of the normal production of the acreage diverted from the commodity on the farm based on its adjusted average yield per acre for the 1959 and 1960 crop acreage. The Secretary may make such adjustments in acreage and yields for the 1959 and 1960 crop years as he determines necessary to correct for abnormal factors affecting production and to give due consideration to tillable acreage, crop rotation practices, type of soil, soil and water conservation measures, and topography. To the extent that a producer proves the actual acreages and yields for the farm for the 1959 and 1960 crop years, such acreages and yields shall be used in making determinations. The Secretary may make not to exceed 50 per centum of any payments to producers in advance of determination of performance. *Notwithstanding any other provision of law, a producer on a farm where summer fallow is normal practice, shall be deemed to have participated in the feed grain program for corn, grain sorghum, and barley, if the sum of the acreages of corn, grain sorghum, and barley, excluding malting barley, on the farm in 1962 does not exceed 80 per centum of the average acreage devoted*

on the farm to these three crops, excluding malting barley, in the crop years 1959 and 1960.

(2) There are hereby authorized to be appropriated such amounts as may be necessary to enable the Secretary to carry out this section 16(d). Obligations may be incurred in advance of appropriations therefor and the Commodity Credit Corporation is authorized to advance from its capital funds such sums as may be necessary to pay administrative expenses in connection with such program during the fiscal year ending June 30, 1962, and to pay such costs as may be incurred in carrying out section 133 of the Agricultural Act of 1961.

(3) The Secretary shall provide by regulations for the sharing of payments under this subsection among producers on the farm on a fair and equitable basis and in keeping with existing contracts.



87TH CONGRESS
1ST SESSION

H. R. 8914

[Report No. 1149]

IN THE HOUSE OF REPRESENTATIVES

AUGUST 28, 1961

Mr. BREEDING introduced the following bill; which was referred to the Committee on Agriculture

SEPTEMBER 7, 1961

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To amend subsection (d) of section 16 of the Soil Conservation and Domestic Allotment Act, as amended.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That subsection ~~(d)~~ of section 16 of the Soil Conservation
4 and Domestic Allotment Act, as amended, is further amended
5 by adding the following at the end of paragraph ~~(1)~~: “Not
6 withstanding any other provision of law, a producer on a
7 farm where summer fallow is normal practice, shall be
8 deemed to have participated in the feed grain program for
9 corn, grain sorghum, and barley, if the sum of the acreages
10 of corn, grain sorghum, and barley, excluding malting barley,
11 on the farm in 1962 does not exceed 80 per centum of the

1 average acreage devoted on the farm to these three crops;
 2 excluding malting barley, in the crop years 1959 and 1960."

3 That section 105(c)(4) of the Agricultural Act of 1949
 4 is amended by changing the parenthetical statement in the
 5 first sentence to read as follows: "(except in the case of a pro-
 6 ducer of malting barley as hereinafter described and except
 7 in the case of a producer of barley on a summer-fallow farm
 8 as hereinafter described)", and by changing the period at the
 9 end of such section to a colon and adding the following:
 10 "Provided further, That no producer of barley on a farm
 11 where summer fallow is the normal practice shall be required
 12 to participate in the special agricultural conservation program
 13 for 1962 for barley if he (i) does not knowingly devote an
 14 acreage on the farm to barley in excess of the average acre-
 15 age devoted on the farm to barley in 1959 and 1960 plus the
 16 acreage devoted to summer fallow in 1961 which is diverted
 17 from the production of wheat under the special 1962 wheat
 18 program, and (ii) does not knowingly devote any acreage on
 19 the farm to corn, grain, sorghums, and barley in excess of 80
 20 per centum of the average acreage devoted on the farm to
 21 corn, grain sorghums, and barley in 1959 and 1960."

22 SEC. 2 Section 16(d)(1) of the Soil Conservation and
 23 Domestic Allotment Act is amended by changing the paren-
 24 thetical statement in the second sentence to read as follows:
 25 "(other than a producer of malting barley as described in

1 *section 105(c)(4) of the Agricultural Act of 1949, or a pro-*
2 *ducer of barley on a summer-fallow farm as described in*
3 *such section)''.*

Amend the title so as to read: "A bill to amend the requirements for participation in the 1962 feed grain program."

87TH CONGRESS
1ST Session

H. R. 8914

[Report No. 1149]

A BILL

To amend subsection (d) of section 16 of the
Soil Conservation and Domestic Allotment
Act, as amended.

By Mr. BREEDING

AUGUST 28, 1961

Referred to the Committee on Agriculture

SEPTEMBER 7, 1961

Reported with amendments, committed to the Com-
mittee of the Whole House on the State of the
Union, and ordered to be printed

S. 2533

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 12, 1961

Mr. CARLSON introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To amend subsection (d) of section 16 of the Soil Conservation and Domestic Allotment Act, as amended.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That subsection (d) of section 16 of the Soil Conservation
4 and Domestic Allotment Act, as amended, is further amended
5 by adding the following at the end of paragraph (1): "Not-
6 withstanding any other provision of law, a producer on a
7 farm where summer fallow is normal practice, shall be
8 deemed to have participated in the feed grain program for
9 corn, grain sorghum, and barley, if the sum of the acreages
10 of corn, grain sorghum, and barley, excluding malting barley,
11 on the farm in 1962 does not exceed 80 per centum of the

- 1 average acreage devoted on the farm to these three crops,
- 2 excluding malting barley, in the crop years 1959 and 1960."

87TH CONGRESS
1ST SESSION

S. 2533

A BILL

To amend subsection (d) of section 16 of the
Soil Conservation and Domestic Allotment
Act, as amended.

By Mr. CARLSON

SEPTEMBER 12, 1961

Read twice and referred to the Committee on
Agriculture and Forestry

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE
(For information only;
should not be quoted
or cited)

CONTENTS

Issued September 19, 1961
For actions of September 18, 1961
87th-1st, No. 164

Appropriations.....	9,24,33
Area redevelopment.....	20
Botanic gardens.....	17
Easements.....	18
Education.....	8
Electrification.....	28
Farm loans.....	2
Farm program.....	20,35
Feed grains.....	5
Fish flour.....	27
Food for peace.....	30
Foreign aid.....	13
Foreign trade.....	23
Forestry research.....	34
Lands.....	18,22
Legislative accomplishments.....	26
Legislative program.....	19
Meatpackers.....	32

Peace Corps.....	7,31
Personnel.....	6,14,21
Poultry.....	3
Purchasing.....	12
Recreation.....	11
Rice.....	4
Sugar.....	25
Supergrades.....	6
Trademarks.....	15
Twine imports.....	23
Virgin Islands.....	29
Water compacts.....	16
Watersheds.....	10
Wheat.....	1

HIGHLIGHTS: House passed bills to: Permit wheat producers to withdraw from stored excess for under-production; exempt durum wheat in certain California counties from allotments and quotas; provide additional supergrades; clarify and simplify operations of Farm Credit agencies. House rejected bill to permit farms on which summer fallow is practiced to participate in feed grains program. Rep. Elliott introduced and discussed poultry bill.

HOUSE

1. WHEAT. Passed as reported S. 1107, to continue to exempt the production of durum wheat in portions of Modoc and Siskiyou Counties, Calif. (Tulelake area), from acreage allotments and marketing quota restrictions. p. 18824
Passed as reported H. R. 8842, to amend the Agricultural Act of 1961 so as to permit a wheat producer to withdraw from his stored excess the amount of wheat by which he fails to make his normal production on the reduced acreage allotment, less the acres voluntarily retired below the allotment. p. 18826
2. FARM LOANS. Passed as reported S. 1040, to abolish the Federal Farm Mortgage Corporation. pp. 18823-4
Passed without amendment S. 1927, to make a number of amendments to simplify and clarify the operations of institutions supervised by FCA. This bill will now be sent to the President. p. 18904
3. POULTRY. Passed as reported H. R. 7866, to extend the Poultry Products Inspection Act to Puerto Rico and the Virgin Islands. p. 18823

4. RICE. Passed without amendment H. R. 9013, to provide for the transfer of rice acreage history where a producer withdraws from the production of rice. pp. 18826-7

*

5. FEED GRAINS. By a vote of 213 to 149, defeated a motion to pass under suspension of the rules H. R. 8914, to permit producers on farms on which summer fallow is a normal practice to plant barley on land devoted to summer fallow during 1961 which is diverted from wheat under the 1962 Wheat Stabilization Program provided an overall reduction of 20% is made in corn, grain sorghums, and barley. pp. 18826-18855-61

6. SUPERGRADES. By a vote of 305 to 53, passed under suspension of the rules H. R. 7377, to increase the limitation on the number of supergrades, and on the number of research and development positions of scientists and engineers for which special rates of pay are authorized. pp. 18861-5, 18865-70

7. PEACE CORPS. Conferees were appointed on H. R. 7500, to provide for a Peace Corps. pp. 18817-8

The "Daily Digest" states that "Conferees, in executive session, agreed to file a conference report on the differences between the Senate- and House-passed versions of H. R. 7500, providing for the establishment of a Peace Corps." p. D871

8. EDUCATION. Passed without amendment H. R. 9053, to amend the National Defense Education Act to provide that loans made under title II will be made for the academic year rather than the fiscal year. p. 18826

By a vote of 342 to 18, passed under suspension of the rules (in lieu of H. R. 8900) S. 2393, to extend for 2 years the authority for Federal assistance for the construction and operation of schools in federally impacted areas and the National Defense Education Act. pp. 18831-4

9. APPROPRIATIONS. Received the conference report on H. R. 8302, the military construction appropriation bill (H. Rept. 1201). pp. 18850-1

10. WATERSHEDS. Passed as reported H. R. 3801, to authorize the Secretary of the Army and the Secretary of Agriculture to make joint investigations and surveys of watershed areas for flood prevention or the conservation, development, utilization, and disposal of water. pp. 18818-20

11. RECREATION. Passed as reported H. R. 4934, to authorize the Secretary of Agriculture to modify certain leases entered into for the provisions of recreation facilities in reservoir areas. p. 18904

12. PURCHASING. Passed without amendment H. R. 8741, to grant to all Federal agencies the authority to waive performance and payment bonds otherwise required under the Miller Act with respect to cost-plus-a-fixed fee and cost-type contracts for the construction, alteration, or repair of building or public works and with supply contracts. p. 18830

13. FOREIGN AID. Passed without amendment H. R. 7791, to provide for the collection and publication of foreign commerce and trade statistics. pp. 18827-8

14. PERSONNEL. Passed without amendment H. R. 8565, to amend Public Law 763, 83d Congress, so as to permit firefighters to voluntarily elect to be paid at the

*Although a majority voted for the bill, a two-thirds majority is necessary under a motion to suspend.

DISCLAIM INTEREST IN CERTAIN RIGHTS IN LANDS IN NEVADA

The Clerk called the bill (S. 2272) to disclaim interest in certain rights in certain lands in the State of Nevada.

There being no objection the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States hereby disclaims any interest in lands which it may have, prior to the date of approval of this Act, acquired by virtue of chapter 103 Stat., Nevada 1887, or by any revisions and reenactment thereof.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANNUAL AUDIT OF BRIDGE COMMISSIONS

The Clerk called the bill (H.R. 8921) to provide for the annual audit of bridge commissions and authorities created by act of Congress, for the filling of vacancies in the membership thereof, and for other purposes.

Mr. ROGERS of Colorado. Mr. Speaker, reserving the right to object, I am wondering if this legislation would provide for the Congress to make an annual audit of the Port Authority of New York.

Mr. DENTON. The bill was drawn so as to specifically exempt the New York Port Authority.

Mr. ROGERS of Colorado. The title reads "to provide for the annual audit of bridge commissions and authorities created by act of Congress for the filling of vacancies in the membership thereof, and for other purposes." It is the contention of many that any compact entered into by various States constitutes a creation by Congress.

Mr. DENTON. As I say, this bill is specifically limited to these five commissions.

Mr. ROGERS of Colorado. Mr. Speaker, I withdraw my reservation of objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) each bridge commission and authority created by Act of Congress shall provide for an annual audit of its financial transactions by an independent public accountant of recognized standing in such manner as prescribed by the Governors of the States concerned and in accordance with generally accepted auditing standards. Each such commission and authority shall make available for such purposes all books, accounts, financial records, reports, files, and all other papers, documents, or property belonging to or in use by such commission or authority. The General Accounting Office is authorized and directed to make available its advice on any matter pertaining to an audit performed pursuant to this section.

(b) The commission or authority within four months following the close of the fiscal year for which the audit is made shall submit a copy of the audit report to the Governors of the States concerned and to the Secretary of Commerce. The report shall set forth the scope of the audit and shall

include a statement of assets and liabilities, capital, and surplus or deficits; a statement of surplus or deficit analysis; a statement of income and expense; a statement of sources and application of funds; and such comments and information as may be deemed necessary to keep the Governor of the States concerned and the Secretary of Commerce informed of the operations and financial condition of the commission.

(c) The Governor of either State concerned or the Secretary of Commerce is authorized to provide for the conduct of further audits of any bridge commission or authority created by Act of Congress if the audit report submitted under subsection (b) is not satisfactory to said Governor or to the Secretary of Commerce, respectively.

(d) The commission or authority shall bear all expenses of the annual audit of its financial transactions as required by this section. All expenses of any additional audit required under this section shall be paid by the official or agency requesting such additional audit.

SEC. 2. (a) Each person who is a member, on the date of enactment of this Act, of a bridge commission or authority created by Act of Congress shall continue in office until the expiration of his present term, except as provided under subsection (b) of this section.

(b) (1) Except as provided in paragraph (2) of this subsection, where provision is made in the Act creating a bridge commission or authority for membership thereon without limitation as to length of term of office, the Secretary of Commerce shall, on or before the expiration of ninety days after the date of this Act, reappoint not more than one-third of the persons who are members of such bridge commission or authority on the date of enactment of this Act as members of such bridge commission or authority for a term of two years from the date of reappointment, reappoint not more than one-third of the members of such bridge commission or authority for a term of four years, and reappoint the remaining members for a term of six years. Thereafter, the term of each member appointed to such commission or authority shall be six years, except when an appointment is made to fill an unexpired term or when an incumbent member whose term has expired holds over until his successor is appointed, and vacancies shall be filled as provided under subsection (c) of this section.

(2) Notwithstanding any other provision of law, the term of office of each person who is a member of the White County Bridge Commission, created by the Act approved April 12, 1941 (55 Stat. 140), on the date of enactment of this Act shall expire on the ninetieth day after such date of enactment. The Secretary of Commerce shall thereupon appoint three persons as members of the commission, one for a term of two years, one for a term of four years, and one for a term of six years. Each person appointed as a member of the commission thereafter shall be appointed for a term of six years, except that a person appointed to fill a vacancy shall serve only for the unexpired term of his predecessor. Each person appointed under this subsection shall give such bond as may be fixed by the Secretary of Commerce, conditioned upon the faithful performance of all duties required by this Act. The cost of such bonds shall be deemed an operating expense of the commission. The Secretary of Commerce shall designate the member of the commission who shall serve as chairman and the member who shall serve as vice chairman. Vacancies in the commission shall not affect its powers, and shall be filled in the same manner as the original appointments were made. The commission shall have power to establish

rules and regulations for the government of its business.

(c) A vacancy in the membership of any bridge commission or authority to which this Act is applicable occurring by reason of expiration of term, failure to qualify as a member, death, removal from office, resignation, or otherwise, shall be filled by the Secretary of Commerce. Incumbent members whose terms have expired shall hold over in office until their successors are appointed and qualified.

(d) Each member appointed under this Act shall qualify within thirty days after appointment by filing with the Secretary of Commerce an oath that he will faithfully perform the duties imposed upon him by law.

(e) Each member appointed under this Act shall be removable for cause by the Secretary of Commerce.

(f) This section shall not be applicable to ex officio members or State highway department members of such bridge commissions or authorities.

SEC. 3. Each bridge commission and authority created by Act of Congress shall submit an annual report, covering its operations and fiscal transactions during the preceding fiscal year, its financial condition and a statement of all receipts and expenditures during such period, to the Governors of the States concerned and to the Secretary of Commerce not later than four months following the close of the fiscal year for which the audit required under section 1 of this Act is made.

SEC. 4. Authority is hereby granted to transfer all functions, powers, duties, responsibilities, authority, assets, liability, obligations, books, records, property, and equipment of any existing bridge commission or authority created by Act of Congress to the highway department or other agency of the State or States concerned, or to joint agencies established by interstate compact or agreement. Such transfer shall be carried out in a manner as may be prescribed or authorized by the laws of the State or States concerned. Upon such transfer, such bridge commission or authority shall cease to exist.

SEC. 5. (a) All provisions of Acts of Congress creating bridge commissions or authorities may be enforced or the violation thereof prevented by mandamus, injunction, or other appropriate remedy by the chief legal officer of either State concerned, in any court having competent jurisdiction of the subject matter and of the parties. The following provisions of law are hereby repealed:

Section 11 of the Act approved October 30, 1951 (65 Stat. 699);

Section 15 of the Act approved July 26, 1956 (70 Stat. 676);

Section 12 of the Act approved April 12, 1941 (55 Stat. 144).

(b) Members and employees of bridge commissions and authorities created by Act of Congress shall not be deemed to be Federal officers and employees.

(c) The members of such bridge commissions and authorities shall each be entitled to a per diem compensation for their services of \$20 for each day actually spent in the business of the commission or authority, but the maximum per diem compensation of the chairman in any one year shall not exceed \$3,000, and of each other member in any one year shall not exceed \$2,000. The members of such commissions and authorities shall also be entitled to receive traveling expense allowance of 12 cents a mile for each mile actually traveled on the business of the commission or authority.

Payments under the provisions of this subsection shall be in lieu of any other payments for salary or expenses authorized for service as a member of any such commission or authority under the provisions of any other Federal law relating to such

commission or authority, but nothing in this subsection shall affect any other Federal law with respect to the funds from which any such payments shall be made.

This subsection shall not apply to any bridge or causeway commission or authority created by an Act of Congress, the entire membership of which is ex officio.

SEC. 6. The provisions of this Act shall apply only to the following bridge commissions and authority:

(1) Arkansas-Mississippi Bridge Commission, created by the Act approved May 17, 1939 (53 Stat. 747);

(2) White County Bridge Commission, created by the Act approved April 12, 1941 (55 Stat. 140);

(3) City of Clinton Bridge Commission, created by the Act approved December 21, 1944 (58 Stat. 846);

(4) Sabine Lake Bridge and Causeway Authority, created by the Act approved October 30, 1951 (65 Stat. 695); and

(5) Muscatine Bridge Commission, created by the Act approved July 26, 1956 (70 Stat. 669).

SEC. 7. If any provision of this Act, or the application of such provision to any person or circumstance, is held invalid, the remainder of the Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF TITLE II OF NATIONAL DEFENSE EDUCATION ACT OF 1958

The Clerk called the bill (H.R. 9053) to amend title II of the National Defense Education Act of 1958 with respect to the periods for which loans under that title are made.

There being no objection the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 205(a) of the National Defense Education Act of 1958 is amended by striking out "fiscal year" and inserting in lieu thereof "academic year or its equivalent, as determined under regulations of the Commissioner."

(b) The amendment made by subsection (a) of this section shall not apply with respect to any academic year or equivalent period, as determined under regulations of the Commissioner of Education, which began before July 1, 1961.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CORRECTING INEQUITY IN THE 1962 WHEAT PROGRAM

The Clerk called the bill (H.R. 8842) to amend subsection (h) of section 124 of the Agricultural Enabling Amendments Act of 1961.

There being no objection the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (h) of section 124 of the Agricultural Enabling Amendments Act of 1961 be amended by striking, following the word

"subsection", "(a) or", and following the words "diverted acres" insert "of the 1962 allotment".

With the following committee amendment:

Page 1, beginning on line 5 strike out the word "following" and all of line 6 and insert "striking out the words 'diverted acres' and inserting in lieu thereof 'acres diverted from the 1962 allotment'".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PARTICIPATION IN 1962 FEED GRAIN PROGRAM

The Clerk called the bill (H.R. 8914) to amend subsection (d) of section 16 of the Soil Conservation and Domestic Allotment Act, as amended.

The SPEAKER pro tempore. Mr. Speaker, is there objection to the present consideration of the bill?

Mr. TOLLEFSON. Mr. Speaker, at the request of Members who could not be present I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

(Mr. FINDLEY (at the request of Mr. KYL) was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. FINDLEY. Mr. Speaker, this bill is a classic example of the way that our farm control bills are liberalized almost immediately following their enactment. Earlier this year Congress passed the "Agricultural Act of 1961." Included in this law was a special 1962 control program for wheat farmers. It was signed by the President on August 8, 1961. Now this afternoon, just 40 days and 40 nights later, we have before the House two bills to liberalize that law. The first bill, H.R. 8842, which was just passed on the Consent Calendar, liberalized the method of calculating how much wheat can be released from the storage of a previously produced crop.

This bill, H.R. 8914, sets up special rules for wheatgrowers in western Kansas and in other summer fallow areas planting winter wheat and barley.

This bill will allow certain farmers to plant and harvest barley now and in 1962, even though they do not have a 1959-60 barley base. This would be allowed at the same time the Department of Agriculture would be paying other farmers for not growing as much barley as they did in 1959-60. It seems to me that such a procedure would be completely illogical and inconsistent.

Another aspect of this legislation which makes it wholly unacceptable is that it gives a special loophole to wheat farmers in just one part of the country. Farmers who retire wheatland under the new wheat law are paid from 45 percent to 60 percent of their normal yield for doing so. Under H.R. 8914 preferred farmers would not only receive this pay-

ment, but they would also be able to plant barley on those idled acres. If that barley turned out well next spring, they could harvest it and participate in the feedgrain program. If it turned out poorly, they could plow it under and replace it with other spring-planted feed grains. This preferential treatment does not appear to me to be warranted, especially in view of the fact that ample payment is made for establishing cover crops to prevent wind erosion.

RICE ACREAGE ALLOTMENTS

The Clerk called the bill (H.R. 9013) to provide for the transfer of rice acreage history where producer withdraws from the production of rice.

There being no objection the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 383 of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1353), be amended by adding at the end thereof a new subsection (f) to read as follows:

"(f) (1) If a producer in a State in which farm rice acreage allotments are determined on the basis of past production of rice by the producer on the farm, dies, his history of rice production shall be apportioned in whole or in part among his heirs or devisees according to the extent to which they may continue, or have continued, his farming operations, if satisfactory proof of such succession of farming operations is furnished the Secretary.

"(2) If a producer in a State in which farm rice acreage allotments are determined on the basis of past production of rice by the producer on the farm withdraws in whole or in part from rice production in favor of a member or members of his family who will succeed to his farming operations that portion of his rice history acreage as may be ascribed to such withdrawal may be transferred to such family member or members, as the case may be, if satisfactory proof of such relationship and succession of farming operations by such family member or members is furnished the Secretary.

"(3) If a producer in a State in which farm rice acreage allotments are determined on the basis of past production of rice by the producer on the farm permanently withdraws from rice production, his rice history acreage may be transferred to another producer or producers who have had previous rice-producing experience, provided the following conditions are met: (i) The transferee must acquire the entire farming operation pertaining to rice, including all production and harvesting equipment, any irrigation equipment not permanently attached to the land, and any land owned by the transferor to which any of the transferred rice history acreage may be ascribed; and (ii) the transferee must actually plant at least 90 percent of his total producer rice acreage allotment, including the allotment determined on the basis of the rice history acreage acquired from the transferor for at least three out of the next four years following the transfer. Failure by the transferee to comply with condition (ii) above shall result in cancellation of the transfer of the rice history acreage. The transferor of rice acreage history under this subsection shall not be eligible for a producer rice acreage allotment for any year subsequent to such transfer, except to the extent that such allotment may be based on rice history acquired in a year (subsequent to the transfer) for which rice acreage allotments are not in effect.

of-town games. Since television revenue is important in the economic structure of football, some teams would become richer and some poorer, but, in the long run, if the teams are not balanced, both financially and competitively, they would all suffer since evenly matched contests are the essence of a successfully operated league.

The situation brought about by the court ruling is of particular concern to me because I represent a city which would be most adversely affected by the bill.

The Green Bay Packers, from Green Bay, Wis., one of the first professional football teams in the Nation, have been able to compete successfully against teams representing much larger cities because of the wise policies of the National Football League which strive for balanced teams. Green Bay's population is 63,000. The team is owned by a nonprofit corporation which has had its struggles, through lean years, to field a representative club. In recent years, however, the club has strengthened its financial position through increasingly successful teams. Green Bay, in 1960, was the western division champion.

With costs mounting, however, Green Bay, like other clubs, is increasingly dependent upon television revenues. Negotiating singly, it has never been able to sell its television rights at the level of the clubs which represent the large cities. When its present contract expires, and if it is forced to approach the networks on its own, it will be competing against clubs who offer vastly greater TV markets, and it could wind up without any television contract or with one at a greatly reduced figure. The difference the size of the TV market makes can be judged by the fact that Green Bay's present contract, as champions, is \$120,000 for radio-TV rights, while the Washington Redskins, who finished last in the eastern division last year, have a \$250,000 contract. Under a contract negotiated by all of the clubs, and subsequently ruled out by the court, Green Bay and all other clubs would have received \$325,000 in 1962 for television.

The bill before us would allow a league and its members to negotiate jointly with the television networks, while providing safeguards against interference with college football games. I urge its passage because it will remove the jeopardy in which the National Football League has been put, insure football fans of the widest possible television coverage of the out-of-town games of their favorite teams, maintain competitive and financial balance among National League clubs, and, by doing all of these things, strongly uphold the spirit of our antitrust laws.

Mr. KORNIGAY. Mr. Speaker, I rise to support this bill and to heartily congratulate the Committee on the Judiciary for bringing to the House a measure which seems to meet the needs of the situation created as a result of United States against National Football League and at the same time to meet the satisfaction of all interested parties. It goes without saying that there is a

great public interest in the televising of professional athletics which should be recognized, but at the same time it is most important that provision be made to protect our amateur and intercollegiate athletics from being squeezed off the television screens across the Nation.

In my opinion, section 3 furnishes this protection very satisfactorily.

I have the honor to represent a district which has within its boundaries 14 colleges and universities, 2 of which are the University of North Carolina and Duke University and which consistently field strong and outstanding athletic teams which gain national recognition and reputation, while many of the smaller institutions of higher learning in my district have worthwhile and very fine athletic programs. The headquarters for the Atlantic Coast Conference is located in my district and its very able commissioner, Jim Weaver, resides there.

While many in the Sixth District enjoy watching the Washington Redskins on Sunday afternoons, we are mightily interested in preserving the rights and privileges of our wonderful intercollegiate teams to appear on the television screens on Friday night and Saturday. And, so, Mr. Speaker, I say again to this House that the committee has done an excellent job in bringing out a bill which I urge every Member to support.

SPRINGFIELD COLLEGE FAVORS BILL

Mr. BOLAND. Mr. Speaker, I rise in favor of H.R. 9096, to amend the antitrust laws to authorize leagues of professional football, baseball, basketball, and hockey teams to enter into certain television contracts, with amendment.

The amendment is designed to provide greater protection than contained in the original bill for in-person attendance at college football contests. This is accomplished by extending the times and dates during which network telecasting by professional football games sanctioned by the antitrust exemption may not interfere with intercollegiate football games.

Mr. Speaker, today I received the following telegram from Edward S. Stentz, director of athletics at Springfield College, in my home city of Springfield, Mass.:

Springfield College appreciates the action of the House Judiciary Committee and urges your support of H.R. 9096, section 3, without amendment. Many thanks for your cooperation.

The amendment I am speaking of, and reported favorably by the Judiciary Committee, is section 3. It provides that the antitrust exemption authorized by section 1 of the bill shall not apply to a joint agreement which permits the telecasting of all or a substantial part of any professional football game on any Friday evening after 6 p.m. or on any Saturday, during the period beginning on the second Friday in September, and ending on the second Saturday in December, within 75 miles of an intercollegiate football game scheduled to be played on that Friday evening or Saturday.

The purpose of the legislation is to enable the member clubs of a profes-

sional football, baseball, basketball, or hockey league to pool their separate rights in the sponsored telecasting of their games and to permit the league to sell the resulting package of pooled rights to a purchaser, such as a television network, without violating the antitrust laws. A further purpose is to prevent such package contracts from being used to impair college football gate receipts through network telecasts of professional football contests at times when college games are normally played.

Mr. RANDALL. Mr. Speaker, I rise in support of H.R. 9096 and I wish to say for the record that it is now possible to support this bill while earlier, before new section 3 had been added by the committee, it would have been impossible to have been in favor of this legislation.

The president of the University of Missouri, Dr. Elmer Ellis, corresponded with us earlier and had said in effect that it was his opinion that H.R. 9096 would do great harm to intercollegiate athletics. We have listened to the debate today and we conclude that the objections to the bill must have been entered sometime after the introduction of the bill on September 7 and prior to the time this measure was reported by the Judiciary Committee to the House calendar on September 13.

It is true that before the committee amendment contained in new section 3, the bill was silent as to intercollegiate football contests. We have been told by a member of the committee that the National Collegiate Athletic Association was consulted and that the new section 3 was added after consultation with the NCAA and that the 75 mile radius was inserted in the bill as being about that time taken to make a 1½-hour ride by motorcar and is the 75-mile limit put in by baseball and now adopted for an intercollegiate football contest.

This amendment has been put in since the objections interposed by one of the members of the Big Eight Conference in the Middle West, the University of Missouri, and it is our opinion that the bill will not now militate against college football. The bill which was heretofore silent has now spelled out in sufficient detail provisions for intercollegiate football contests and should be passed by the House.

The SPEAKER pro tempore. The question is on the motion of the gentleman from New York [Mr. Celler] that the House suspend the rules and pass the bill, H.R. 9096.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PARTICIPATION IN 1962 FEED GRAIN PROGRAM

Mr. POAGE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8914) to amend subsection (d) of section 16 of the Soil Conservation and Domestic Allotment Act, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That section 105(c)(4) of the Agricultural Act of 1949 is amended by changing the parenthetical statement in the first sentence to read as follows: "(except in the case of a producer of malting barley as hereinafter described and except in the case of a producer of barley on a summer-fallow farm as hereinafter described)", and by changing the period at the end of such section to a colon and adding the following: "Provided further, That no producer of barley on a farm where summer fallow is the normal practice shall be required to participate in the special agricultural conservation program for 1962 for barley if he (i) does not knowingly devote an acreage on the farm to barley in excess of the average acreage devoted on the farm to barley in 1959 and 1960 plus the acreage devoted to summer fallow in 1961 which is diverted from the production of wheat under the special 1962 wheat program, and (ii) does not knowingly devote any acreage on the farm to corn, grain sorghums, and barley in excess of 80 per centum of the average acreage devoted on the farm to corn, grain sorghums, and barley in 1959 and 1960."

Sec. 2 Section 16(d)(1) of the Soil Conservation and Domestic Allotment Act is amended by changing the parenthetical statement in the second sentence to read as follows: "(other than a producer of malting barley as described in section 105(c)(4) of the Agricultural Act of 1949, or a producer of barley on a summer-fallow farm as described in such section)".

The SPEAKER pro tempore. Is a second demanded?

Mr. QUIE. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. POAGE. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this legislation is an attempt to deal a little more satisfactorily with the old Dust Bowl problem. In a rather extensive area of the southwestern United States, or down in the real Southwest we would say in central western United States, there is what we know now as the Dust Bowl where land blows in the winter and spring of the year to the great detriment of the soil.

Fortunately, for the last 20 years that situation has been pretty well controlled by the Soil Conservation Service and cover-cropping arrangements, and with the passage of the recent feed grain and wheat bills we find that there develops a situation, particularly in Kansas, eastern Colorado, Nebraska, and possibly the northern counties of the Panhandle of Texas and the Oklahoma Panhandle where individuals have, in good faith, prepared their wheat lands. The wheat land has already been prepared. The seeding is beginning out there; it has already started. Under the normal practices, where the farmer allows a part of his land to lie fallow during the summer and another part he seeds in wheat. He must make preparation early in the year, if he is going to plant wheat. So, he was prepared to plant, we will say, 100 acres as his allotment. Under the law that this Congress passed recently, he cannot plant but 90 acres, and we encourage him to cut that down to 60.

We hope that he will cut it down to 60 acres; but, in any event, whether he

cuts it at all or whether he simply complies with the mandatory cut, he is going to have a portion of his land laying there that he cannot plant in wheat. Whether that is 10 percent or 40 percent makes no difference from the standpoint of principle. It cannot be planted. The land is ready to plant in wheat. That means that he has the land broken and disked and that he has pulverized the land. If you leave that kind of land lying out over winter in this dry area where they probably will have no rain and no snow, or very little of either, and where it is not going to freeze hard as it does in some sections of the United States, that land is going to blow during the winter and spring. Where land is to be left idle, farmers usually leave stubble on it, but there is no stubble on this land because there was not any crop there this year, and it is now too late to put a crop on it; it was too late when we passed the bill.

As a result, something has got to be done with this fallowed land. For all practical purposes, there is nothing the farmers can do to provide a winter crop except to plant barley. We had a surplus of barley last year. So, obviously, that is not a good solution, if you are simply going to put in a lot more barley and add that barley to the surplus. This bill does not do that.

What this bill says is that you can plant barley on that land provided you have a feed-grain base and that next spring you will reduce your feed-grain acreage by the amount of barley that is planted on this fallow land.

I think it is very simple. All in the world that is involved here is to give these people in that area the right to plant a winter crop to keep this land from blowing and then next summer make a comparable reduction from their corn or grain-sorghum acreage. There is no way whereby the total acreage in feed can be increased. Any increase in barley will be exactly balanced by a like reduction in corn and grain sorghums.

This bill says to them that instead of making your reduction in a winter grain crop, to-wit, wheat, or barley, which are the only known crops available to hold the land from blowing, that you can make the reduction in a summer grain—to wit, grain sorghum, or in corn—but basically it means grain sorghum as there is very little corn grown in this dry region.

It requires exactly the same total reduction in planting acres. We do not say you can get off with a smaller reduction, but say, make your reduction this summer in a crop which is not going to let the land blow. The object is to avoid a disastrous effect to the land. Let us take out of production the crop which is not going to hurt and leave these farmers the opportunity to use a winter cover crop where it is needed.

This is needed for only 1 year, and the bill is only of 1 year duration. The reason you need it for 1 year only is that these people prepared their land before we passed the wheat bill. At that time they naturally assumed that they needed to prepare the full amount of their then existing allotment. Next year they will know the amount of land they can plant

in wheat and there will not be any necessity of continuing this kind of legislation.

I think it is a rather simple proposition and I am sure there is not a Member on the floor who does not believe in protecting the soil of this Nation. We certainly should know that these people in this dry area are in an especially difficult position, and we should allow them to handle their basic crops so it will do a minimum of injury.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from California.

Mr. COHELAN. Will the gentleman be good enough—I cannot find it in the report—to tell us how many acres are involved and how many people?

Mr. POAGE. There are a good many acres involved, but I cannot say how many. It is probably nearly 10 percent of the wheat acreage in these States which is involved. Those are the biggest wheat States in the United States. Kansas is by far the largest wheat State in the Nation. This bill involves a minimum of 10 percent of that total acreage, and it will involve a maximum of 40 percent, but of course we know it will never reach the maximum. However, it is a rather substantial acreage, but a farmer cannot take advantage of the bill unless he has a feed grain basis, and that feed grain basis has to be reduced next year by the same amount which he plants in barley, in addition to the 20 percent reduction in feed grains which is required to qualify for participation in the feed grain program.

Mr. QUIE. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. BECKER].

Mr. BECKER. Mr. Speaker, having listened to the debate for many years on the floor of the House in reference to price supports, surplus commodity programs, and other farm programs, I have always been confused, as the farm advocates have been confused. I have heard both sides of the proponents of farm price supports argue with one another on the merits of the various programs. I have voted against these bills. No, I am confused about this bill.

I have before me the report, and I would like to take the time to ask members of the subcommittee to give me some answers.

On page 2 of the report there is a paragraph dealing with costs. It is confusing, and I want to read it:

The committee is not aware of any additional direct cost to the Government as a result of enactment of this legislation but it believes it will bring about a wider participation in the feed grain reduction program, in which case there would be the additional cost to that program resulting from the additional participation.

To me this sounds like doubletalk wrapped up in one paragraph and in just one sentence.

I would like to direct questions to the members of the committee, if they are paying attention, and ask them if they can tell me if you take land, farmers are now being paid to take out of production so much per acre, it is then planted with a cover crop of barley, you are going to get paid price supports and have a sur-

plus of barley that is grown on this same land. They want to get paid twice for land that is now in the soil bank; is that correct?

Mr. BREEDING. Mr. Speaker, will the gentleman yield?

Mr. BECKER. I yield to the gentleman from Kansas.

Mr. BREEDING. This land is in the soil bank and it is to reduce the acreage of this summer fallow for wheat. As I understand it, 10 percent of that must come out of production; but, actually, he would plant 90 acres instead of 100, if he had 100 to start with. But he needs to cover the 10 percent with some kind of crop. If he reduces this from his feed grain crop next summer, I can see no additional cost to the Government, because the 10 percent reduction does not have to be the summer fallow acreage. Does that answer the question?

Mr. BECKER. Is barley eligible for price supports?

Mr. BREEDING. Yes; barley is eligible for price support if you have a barley base.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. BECKER. I yield to the gentleman from Oklahoma.

Mr. ALBERT. May I answer the gentleman's question in this manner: This 10 percent the gentleman is talking about has been fallowed; it has been prepared for seeding. This land is ready to plant. This land was prepared before we passed the feed grain bill. To be eligible to participate in this program under this bill the farmer will have to have a feed grain base. He will have to lay out some of the land which he would plant to feed grain in the spring in return for land which he plants to barley under this bill. He is not increasing his total grain production. He is simply substituting barley for feed grain.

So, the effect is that he takes out the same amount of land overall on the same farm.

Mr. BECKER. But on the land he takes out he is getting paid for that; is he not?

Mr. ALBERT. That is right.

Mr. BECKER. If he plants a cover crop of barley on the land he has taken out, and for which he is getting paid, is he going to get price supports for the barley he plants as a cover crop?

Mr. ALBERT. Yes, but he is going to have to take out and not get price supports for a corresponding amount of feed grain on land somewhere else on his farm. So he is just trading one part of his farm for another.

Mr. BECKER. I might say to the gentleman that it is still very confusing. Why can they not plant something else for a cover crop rather than barley, for which price supports are being paid? There are many other things that can be planted as a cover crop.

Mr. ALBERT. What else can be planted as a fall cover crop?

Mr. BECKER. There are other things that can be planted on this land in the way of a cover crop.

Mr. ALBERT. What?

Mr. BECKER. You can plant grass or hay or anything that would prevent soil erosion. I would like to ask the gentleman from Oklahoma to give me an answer to that. I am not a farmer, but I was raised in a farm area.

Mr. ALBERT. If the gentleman will yield further, this land is fallowed and then the seedbed is prepared for fall planting. About the only thing that can be planted in the fall to keep the land from blowing away is either barley or wheat. In order to participate in the program this bill contemplates that the farmer is going to have to reduce by a corresponding amount from some other section of his land the feed grain crop which would be planted in the spring and for which he would get price supports.

Mr. BECKER. Why do they say in the first part of this paragraph that there will be no additional cost, and then wind up by saying in the last part that there would be an additional cost of that program resulting from the additional participation? Certainly they can anticipate that this is going to cost more money, because they say it right here.

Mr. ALBERT. I do not know what the report says on that.

Mr. BECKER. I am reading from the report.

Mr. ALBERT. I can assure the gentleman that any additional cost to the Government as regards this particular tract will be offset by a reduction in some other tract. The net result is zero.

Mr. POAGE. Mr. Speaker, will the gentleman yield?

Mr. BECKER. I yield to the gentleman from Texas.

Mr. POAGE. The gentleman asked the reason for that language in the committee report. It is simply because we believe that if we can pass this legislation that we will get a much larger participation in the feed grain program, and that if we get a larger participation, obviously it is going to cost you money to get it. But we think it is a desirable thing to have a large participation in the feed grain program because we believe that that is a lot cheaper than it is to grow these surplus crops and store them.

May I also answer one other question for the gentleman from New York? The gentleman from New York asked why we did not plant something else, grass, or something of that kind, instead of barley or wheat. This is in a high altitude, dry climate country. It is an utter impossibility to seed grass in the fall of the year in that area. You just cannot do it. The Lord made that country, and He gave us less than 20 inches of rain, and He gave it to us in the summertime, and not in the winter. That is why we cannot do it.

Mr. BECKER. I might say to the gentleman that I am not convinced and therefore must oppose the bill.

Mr. QUIE. Mr. Speaker, I yield myself such time as I may consume.

(Mr. QUIE asked and was given permission to revise and extend his remarks.)

Mr. QUIE. Mr. Speaker, the purpose of this legislation is to enable farmers in the summer fallow area to raise barley who have not raised barley before or who have not raised enough barley to cover the acres they now are going to idle which represent 10 percent of their wheat acres. What they want to do also is to raise a crop on their summer-fallowed land on which they have built up the moisture throughout the year and idle some of the acres on their farm on which a grain sorghum crop has depleted the moisture.

In the feed grain program this year, one of the reasons why we are going to have a greater production than would be expected, due to the reduction in acres, is because normally farmers take their best acres to plant their crops, and idle their poor acres. Now we come upon a group of farmers, due to the new wheat and feed grains programs who find it is not easy to put their best acres into production without a change in the law. So they now want us to change the law so they can do the same thing which you are deploring that other farmers have been doing all the time.

Let us look at the controls that we have put on agricultural commodities in the past. In the past we have never really controlled production, because where the cotton farmers reduced their cotton acres, they planted something else—feed grains, in direct competition with us in the feed grains area. When we had a corn program in the feed grains areas, we reduced our acres of corn. But what did we do with the idle acres? We planted soybeans or 15 acres of wheat. In the wheat production areas, they cut back on their wheat acres, but they raised feed grains on their acres retired from wheat. Now they raise some grain sorghums down in the wheat area of the gentleman from Kansas [Mr. BREEDING], and the gentleman from Kansas [Mr. DOLE], and they want us to change the law so their farmers can raise some barley even though some of them never raised barley before. Their argument is that they want to prevent the acres retired from wheat from eroding. Let me tell you there is nothing to prevent these farmers from planting wheat on 100 percent of their wheat acres and then 30 days before harvest destroy their poorest acres and get their price supports, get their payments for idling 10 percent to 30 percent of their wheatland. We are giving these farmers an increase in price support from \$1.78 to \$2.00 a bushel and then paying them 45 percent of what they normally would have received on those idle acres for not raising a crop. That ought to be enough for them to put a little cover crop on their idle acres and prevent erosion. We put a cover in the feed grain areas on our land to prevent erosion, both water erosion and wind erosion, but it is mostly water erosion and aren't asking permission to harvest those cover crops. What is going to happen to the barley of these farmers who did not raise barley before but now can raise it and receive price supports on it if this bill passes? That barley is going to be in direct competition with the

barley producers in the great feed grain producing areas.

Earlier this year, in the feed grain program, we did not include barley under the feed grains regulations for the 1961 crop. We just included corn and grain sorghums. But the Department came to us later and said, in the omnibus farm bill, please pass a control program for barley the same as you have for corn and grain sorghums. The only way you can get price supports on corn and grain sorghums is if you reduce your acres by 20 percent and not increase your acres of barley; the same is now true for barley.

So we have a program in the omnibus farm bill trying to prevent an increase in the production of barley, passed by the Congress, just a short time ago, and then some people come in and ask for another program to encourage their farmers to raise more barley in other parts of the country.

Mr. BATTIN. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Montana.

Mr. BATTIN. Will the gentleman concede that in some areas, particularly in Montana, North Dakota, and parts of South Dakota, as well as other areas mentioned, the small grains, wheat and barley, are about the only two things they can grow?

Mr. QUIE. That is right. And in that area, without any change in the law, you can put barley in the acres that you have summer-fallowed. There is nothing to prevent that. But in your area where you have not raised grain sorghums or other feed grains—

Mr. BATTIN. And cannot.

Mr. QUIE. And cannot, there is no way you could put additional barley in under this program and if you do not have a barley base you could raise no barley; while in the summer fallow areas, where grain sorghum is raised, a farmer under this bill could begin producing barley even though he never raised a kernel before.

You have to have the grain sorghums or some other kind of feed grain in order to plant barley on these acres. So in Montana you cannot comply with this bill since you cannot raise sorghums or corn.

Mr. BATTIN. This is different from the provision on feed grain which we passed in the Agricultural Extension Act of 1961.

Mr. QUIE. That is right, barley is considered separately from corn and grain sorghum. If they were all called feed grains, there would be no need for this bill. But we decided in the Congress that we did not want the farmers to lump them all together, we wanted to consider corn and grain sorghum as one but barley as something separate. If you want to reduce your acres of corn and grain sorghum you cannot increase your acreage of barley. If you are going to reduce your acres of barley you cannot increase your acres of corn and grain sorghum. You cannot reduce your barley acres and then raise the corn and grain sorghum to take the place of the barley that would normally be raised.

Mr. POAGE. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Texas.

Mr. POAGE. Apparently the gentleman suggests it would have been a good thing if the committee had lumped all these feed grains together.

Mr. QUIE. No. We thought of that and both you and I decided if we were going to make the program work we would have to treat them separately.

Mr. POAGE. That is exactly what we decided in the committee, but I understood the gentleman to tell the House it would be a good thing if we lumped them together.

Mr. QUIE. No; I did not make that statement.

Mr. POAGE. What we do do for these four States, this drought-stricken area, is to lump them together.

Mr. QUIE. That is right.

Mr. POAGE. What is wrong with that where they have special situations? The reason we did not lump them together over the Nation was that we knew there were areas in which you could grow much more corn than by growing grain sorghums, and there were other areas in which you could grow much more grain sorghum than by growing barley. In this area which is in the center of things you have almost an equality between them. An individual farmer cannot take advantage of this because he must have a feed grain base before he can substitute barley for feed grain.

Mr. QUIE. The people in that area have something that other farmers in other areas would undoubtedly like to have. If they do not like the outlook in the spring they can put in another crop and get price supports on that also. If we continue this effort, we are going to ruin the attempt we made this year to actually reduce total crop production.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from North Dakota.

Mr. SHORT. I have been looking through the report and the bill. My memory does not recall from the conversation we had about this piece of legislation in the committee, if the provisions of this bill are taken advantage of by this wheat farmer and he elects to seed to barley the land that he is required to retire from wheat production under the provisions of the new wheat bill, is he going to be eligible for the land retirement payment which is provided for in the wheat bill, under the provisions of this bill?

Mr. QUIE. Yes; he will be eligible for the land retirement payment, because all he has to do then is to select some less productive acres on his farm that he had in sorghum, perhaps, the year before, and call those the acres he would like to idle. There is nothing to prevent him from doing that right now.

Mr. SHORT. I do not see anything in the committee report about this, either, if I may ask a further question. Does this bill give the farmer in this particular area where this problem exists, and I grant it does exist, al-

though I would have to point out this is not the only area that makes a practice of summer fallowing—we do about the same proportion in North Dakota and sections of Montana and maybe out in the Pacific Northwest—but if this barley that the farmer plants on the retired acreage he normally would have planted to wheat, if he plants that to barley and something happens to the barley crop over the winter, if it winter kills, does he have an opportunity then to plant these same acres to some other spring crops such as grain sorghum or corn or oats or something like that?

Mr. QUIE. The gentleman recalls from our discussion in the committee that was the understanding we had, that if in the spring the barley winter kills, the farmer could then just go ahead and put grain sorghum in those same areas.

Mr. SHORT. Certainly, being a farmer, I hate to deny a farmer the opportunity to make any more money out of his farming operation. But, I think, perhaps, in all honesty, I should point out this is an opportunity that is going to be offered to these people in this particular area that is, perhaps, for reasons beyond their control or anyone else's control, an opportunity that is not available to the wheat farmers in the summer fallow areas in the northern part of the United States where they can only plant a spring crop.

Mr. QUIE. I thank the gentleman. I realize along the same line, we can compliment the gentleman from Kansas [Mr. DOLE] for working hard for his farmers and helping them to plant barley on these acres since they would hate to see those acres lying idle when they have built up the moisture. I never blame a Member for working for his constituents, but I just disagree with the gentleman.

Mr. DOLE. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Kansas.

Mr. DOLE. I might say the legislation is going to take care of one of us, Mr. BREEDING and myself, but I do not want the dust to take care of both of us. We have this peculiar problem in Kansas in the western end, and I happen to represent the northwest area and Mr. BREEDING the southwest area, and there has been some inference, perhaps, that the wheat farmers are getting a special benefit. I think this is simply an interchange of acres, and I do not know where the benefit might come or being given any special advantages. Would the gentleman point that out to me under this program?

Mr. QUIE. Well, the special advantage is that he is able to raise barley when he has no barley history. In the feed-grain program which we passed some months ago, it provided that no one who raised barley can raise more than their history showed for 1959–1960. It is a special advantage for farmers in your area to raise more barley than their 1959–60 history and still receive price supports.

Mr. DOLE. He must have a feed-grain base to participate in this program,

and he retires an equal number of his acres of his feed grain next spring.

Mr. QUIE. That is right. He may want to trade grain sorghum for barley. If barley was not in trouble, we would not have a barley program.

Mr. DOLE. I think that would be the only crop he can plant where he actually would have any benefit.

Mr. QUIE. Oh, no, you can plant wheat for a cover crop or you can raise rye. I imagine you could raise winter oats. There are other commodities than barley which you can put on for a cover crop, if that is all the farmer intends to do, which would work just as well. But you want them to be able to harvest the cover crop and receive price supports.

Mr. BEERMANN. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Nebraska.

Mr. BEERMANN. Page 3 of the report, section 16(a) says:

SEC. 16. (a) The obligations incurred for the purpose of carrying out for any calendar year, the provisions of section 7 to 14, inclusive, of this Act shall not exceed \$500 million.

One of the things sold to us in passing the Agricultural Adjustment Act of 1961 was that we were going to save \$500 million. Did they leave this out purposely so that they could come back now? Since this program has already cost \$750 million, to the extent of \$2.20 per bushel for not raising corn and feed grains and while excess soybeans are being produced, is this \$500 million that was supposed to be saved going to be spent now?

Mr. QUIE. I could not answer that question.

The SPEAKER pro tempore. The time of the gentleman from Minnesota has expired.

(Mr. WHITTEN asked and was given permission to revise and extend remarks made by him earlier.)

Mr. POAGE. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas [Mr. DOLE].

(Mr. DOLE asked and was given permission to revise and extend his remarks.)

Mr. DOLE. Mr. Speaker, I want to appeal to the Members on my left, and use that term only in this geographic context. We have passed bills to benefit postmen and football players today, and now have an opportunity to give a little consideration to farmers. As I mentioned to the gentleman from Minnesota [Mr. QUIE] a minute ago, this happens to be a bill introduced by the gentleman from Kansas [Mr. BREEDING], we both live in western Kansas and, frankly, the bill is similar to an amendment offered in the House when the omnibus farm bill was being considered, by Congressman BATTIN. The amendment was adopted by this House, but later on in the Senate-House conference, it was eliminated. We are not doing anything revolutionary by passing this bill today. The gentleman from Kansas [Mr. BREEDING] has a farm and understands the practicalities of this legislation. We have all seen the dust fly in western Kansas and I

can assure you we are not asking for any additional aid or benefits, but simply asking that our farmers be permitted to take the diverted wheat acres and plant them to barley and next spring take an equal number of acres from his feed-grain base and retire that acreage. The farmer is not getting any double shot at anything, as has been intimated here today. I think this bill should be passed without objection from anyone.

Mr. HARVEY of Indiana. Mr. Speaker, will the gentleman yield?

Mr. DOLE. I yield to the gentleman from Indiana.

Mr. HARVEY of Indiana. The issue was raised in the colloquy just a short time ago as to whether, in the final analysis, the outcome of this proposal would not be to permit these farmers to trade a fall sown crop for grain sorghum, which would be the normal spring sown crop, in terms of acres. Is that correct?

Mr. DOLE. Yes; that is correct.

Mr. HARVEY of Indiana. That would be the net effect; sow barley in the fall in place of sorghums next spring. Now, from the standpoint of dollar income to the farmer, if you put it on that basis alone, is there any general indication that a farmer would make more money sowing barley this fall than he would if he plants sorghum next spring?

Mr. DOLE. There may be some figures on that. That was discussed in committee and I think the difference is very little, if any; in fact, my offhand thinking is he might receive a little less that way.

Mr. HARVEY of Indiana. In other words, the gist of it is that in reality the average farmer in this area would not be any better off financially from this exchange. He would simply be given a better opportunity to protect this fallow land that would otherwise be left uncovered?

Mr. DOLE. Yes; the gentleman is correct, and this is the basis we should approach the bill on. This is not an attempt to give the farmer additional benefits. This is similar to H.R. 8842 which passed earlier today in that it is a corrective piece of legislation, and is needed to correct an evil discovered in the 1962 wheat program.

Mr. KYL. Mr. Speaker, will the gentleman yield?

Mr. DOLE. I yield to the gentleman from Iowa.

Mr. KYL. In the opinion of the gentleman, is this a farm solving device or a farm relief program?

Mr. DOLE. Whether it will solve the farm problem, I do not know, but we are going to decrease participation in the feed-grain program if this bill is not passed.

Mr. POAGE. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas [Mr. BREEDING].

Mr. BREEDING. Mr. Speaker, I might state that whenever new programs are enacted mistakes are found when application of the program is initiated. H.R. 8842 passed today by unanimous consent was a bill to correct an inequity which should never have occurred, but an error was made and I was advised by

the Department of Agriculture, in response to a letter dated August 16, the error would not be corrected by administrative order.

On August 17, 1961, I contacted the Department concerning the subject of the bill before us today and on August 30 the U.S. Department of Agriculture informed me legislation was necessary to cure the defect. I frankly feel the Department has authority to correct the present situation could have been remedied under existing authority, Public Law 87-128.

The basic purposes of this law are: First, improve farm income; second, adjust feed grain production, thus saving on Government costs; and third, establish sound soil conserving measures. If large areas of the western plains are allowed to lie idle and erode, farm income will ultimately suffer.

If barley and grain sorghum acreage reduction were more interchangeable a further reduction in the production of grain sorghum would be accomplished. There is now a greater surplus in grain sorghum, barley—May 31, 1961, CCC figures show 398,873,242 hundredweight of sorghum in the inventory of CCC and 13,613,151 hundredweight under loan for a total Government commitment of \$1,051,946,201, whereas there were only 53,693,536 bushels of barley in the CCC inventory and 42,173,992 bushels under loan for a total Government commitment of \$96,686,817.

Your particular attention is called to the following statutory provisions:

First. In "Subtitle B: Wheat"—sections 124 (g) and (i) provide:

(g) The program formulated pursuant to this section may include such terms and conditions, in addition to those specifically provided for herein, as the Secretary determines are desirable to effectuate the purposes of this section.

(i) The Secretary is authorized to promulgate such regulations as may be necessary to carry out the provisions of this section.

Second. In subtitle C: Feed Grains—the new section 105(c)(4) of the Agriculture Act of 1949, as amended, provides:

(4) The Secretary shall require as a condition of eligibility for price support on the 1962 crop of corn and grain sorghums that the producer shall participate in the special agricultural conservation program for 1962 for corn and grain sorghums to the extent prescribed by the Secretary and (except in the case of a producer of malting barley as hereinafter described) shall not knowingly devote an acreage on the farm to barley in excess of the average acreage devoted on the farm to barley in 1959 and 1960. The Secretary shall require as a condition of eligibility for price support on the 1962 crop of barley that the producer shall participate in the special agricultural conservation program for 1962 for barley to the extent prescribed by the Secretary and shall not knowingly devote an acreage on the farm to corn and grain sorghums in excess of the average acreage devoted on the farm to corn and grain sorghums in 1959 and 1960.

Third. New section 16(d)(1) of the Soil Conservation and Domestic Allotment Act, as amended, provides:

(d) Notwithstanding any other provision of law—

(1) The Secretary shall formulate and carry out a special agricultural conservation

program for 1962, without regard to provisions which would be applicable to the regular agricultural conservation program, under which, subject to such terms and conditions as the Secretary determines, conservation payments in amounts determined by the Secretary, to be fair and reasonable shall be made to producers who divert acreage from the production of corn and grain sorghums, and barley, respectively, to an approved conservation use and increase their average acreage of cropland devoted in 1959 and 1960 to designated soil-conserving crops or practices including summer fallow and idle land by an equal amount. The Secretary may make not to exceed 50 percent of any payments to producers in advance of determination of performance.

Fourth. Section 134 which provides:

SEC. 134. Notwithstanding any other provision of law, the Secretary may place such limits on the extent that producers may participate in the special feed grain conservation program for 1962 authorized by this act as he determines necessary because of an emergency created by drought or other disaster, or in order to prevent or alleviate a shortage in the supply of corn, grain sorghums, or barley.

In view of the general authority granted by the act, and in order to meet the purposes of this legislation, I suggested urgent consideration allowing the interchange of sorghum and barley acreage.

The Department's answer, in part, was:

We are unable to concur in the view that existing law permits such latitude. It does not appear that compliance with the barley part of the 1962 feed grain program would result in such an insufficiency of barley as to justify a general modification under section 134 of Public Law 87-128. Any exemption from the minimum compliance requirement of 20 percent of the barley base acreage presumably would have to be general over the country.

In conclusion, Mr. Speaker, I want to emphasize farmers in western Kansas are not seeking undue advantage or special consideration in this request. They do wish to operate within the framework of the wheat and feed grain program to prevent a serious erosion loss and to carry on their operations as they anticipated they would when entering the 1961 feed grain program. As previously stated, failure to grant relief will undoubtedly limit participation in the program for 1962.

Mr. AVERY. Mr. Speaker, will the gentleman yield?

Mr. BREEDING. I yield to the gentleman from Kansas.

Mr. AVERY. I wonder if my colleague from Kansas, the author of the bill, could advise the House whether or not any hearings have been held on this measure in the other body.

Mr. BREEDING. Not that I know of.

Mr. AVERY. Well, I think it is essential that this bill pass this session of the Congress, because I understand it is an amendment to the feed grain program for 1961, so if we do not complete action on the bill during this session, it will virtually have no effect.

Mr. BREEDING. I understand it has been introduced in the Senate by our own distinguished Senator from Kansas, Senator CARLSON, and I understand that

Senator BURDICK of North Dakota was introducing the bill. I had hoped that it would pass the House so that they could take it up.

Mr. AVERY. I think this will serve as an admonition to them to give further consideration to it. I thank the gentleman for yielding.

Mr. BREEDING. I thank the gentleman. I also want to make this point. I want to thank my colleague, the gentleman from Kansas [Mr. DOYLE] in trying to represent one district in Kansas, and this may be the only time in this session of the Congress when we are fighting together on the same issue. I want to thank the gentleman for his efforts here, because this is bipartisan.

Mr. DOLE. It may not happen again, but it happened once.

Mr. BREEDING. This is a bipartisan approach on both of our parts to accomplish something that we know the people in our area are interested in. I have had letters and wires and telegrams from every farm organization that is represented in my area in behalf of this legislation. This morning I received a letter from the farm bureau of my State hoping that we could accomplish this today to correct a bad wrong. This is a good farm bill. I have lived in this area for 33 years, and I know that we need to plant barley in the fall of the year. In answer to the remarks of the gentleman from Minnesota [Mr. QUINN] about planting barley when we do not have any base acreage, I can say this, that in a lot of instances my farmers do not plant barley when their prospects are good. In the last 4 years we have had good wheat crops in my area and there has been little reason, if any, to plant much barley.

The consequence was that in the years 1959 and 1960 on which this barley base is established, there was not a great deal of barley acreage in my country, but I have also seen my country when there has been huge barley acreage. As I understand this bill, unless you have a feed grain program or feed grain base on your farm you would not be permitted to take part in the program outlined in this legislation.

Mr. POAGE. That is the very point that makes it so clear that there is nothing to the implication made that somebody is getting a favored position, because unless feed grain is normally about of the same productivity as barley, a man would not plant it and would not have a feed grain basis. Certainly it would be an injustice.

The SPEAKER pro tempore. The time of the gentleman from Kansas has expired.

Mr. POAGE. Mr. Speaker, I yield the gentleman 2 additional minutes.

Down in my country a man would not substitute barley for feed grain, because the feed grains normally produce the most. Certainly it would be an injustice in the Red River Valley of the north to substitute feed grain for barley because the barley normally produces the most; but in this particular area where the production is almost identical, as has been pointed out by the gentleman

from Kansas [Mr. DOLE] he must have some way of making this substitution. We cannot let this land blow away for want of a cover crop.

Mr. BREEDING. The distinguished gentleman from Texas is exactly correct in his statements. The situation is just exactly as he states it.

Mr. POAGE. Would the gentleman comment on this further criticism that people could plant spring crops instead of fall crops, black-eyed peas, sunflowers, and other things; but the people who have made that suggestion all unfortunately live in a country where their land is protected with snow in the winter.

Mr. BREEDING. That is right.

Mr. POAGE. Those who have lived in this part of the country know that most of the winters there is no snow cover.

Mr. BREEDING. The gentleman is right, there is very little snow. I would like to point out also that grass will not grow by itself, that grass has to have a cover crop such as grain or some crop like that.

(Mr. BREEDING asked and was given permission to revise and extend his remarks.)

Mr. POAGE. Mr. Speaker, I yield 1 minute to the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. I wish to make use of this minute by inquiring of the gentleman from Kansas whether it is not true that based upon the evidence before our committee there will be no particular income difference to farmers in his area as between growing barley and feed grains? So the farmer will not stand to gain more money. The only thing he can do will be to plant a crop that he can harvest on land that might otherwise be blown away.

Mr. BREEDING. That is true in my past experience in this area. I will say that the planting of barley this fall on this land perhaps will not yield as much income to the farmer as other crops, but he will be able to raise other crops next year.

Mr. ALBERT. So the purpose of the feed grain bill, to reduce feed grains would not be injured; this would still be consistent with that program.

Mr. BREEDING. I think so. I will also say that if the farmer is permitted to participate in this program he will automatically come under the feed grain program as far as that is concerned.

The SPEAKER pro tempore. The question is, Will the House suspend the rules and pass the bill H.R. 8910?

The question was taken; and on a division (demanded by Mr. QUINN) there were—ayes 64, noes 26.

Mr. BECKER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 213, nays 149, not voting 73, as follows:

[Roll No. 213]

YEAS—213

Abbitt Grant Murphy
 Abernethy Gray Murray
 Adair Green, Oreg. Natcher
 Albert Green, Pa. Nix
 Alexander Griffiths Nygaard
 Alford Hagan, Ga. O'Brien, Ill.
 Andrews Hagen, Calif. O'Brien, N.Y.
 Ashley Halleck O'Hara, Ill.
 Ashmore Hansen O'Hara, Mich.
 Aspinall Harding O'Konski
 Avery Hardy Olsen
 Bailey Harris O'Neill
 Baring Harvey, Ind. Passman
 Barrett Hays Patman
 Battin Healey Perkins
 Beckworth Hechler Peterson
 Belcher Hemphill Philbin
 Bennett, Fla. Henderson Poage
 Blatnik Holifield Price
 Blitch Horan Pucinski
 Boland Huddleston Randall
 Bolling Hull Reifel
 Bonner Ichord, Mo. Rhodes, Ariz.
 Boykin Ikard, Tex. Rhodes, Pa.
 Brademas Inouye Riley
 Bray Jarman Rivers, Alaska
 Breeding Jennings Rivers, S.C.
 Burke, Ky. Jones, Ala. Roberts
 Burke, Mass. Karsten Rogers, Colo.
 Burleson Karth Rooney
 Byrne, Pa. Kastenmeier Rostenkowski
 Cannon Kee Roubeshush
 Chelf Kelly Roush
 Chenoweth Keogh Rutherford
 Clark Kilday Ryan
 Coad Kilgore Santangelo
 Cohelan King, Calif. Scott
 Cook King, Utah Selden
 Davis, James C. Kirwan Sheppard
 Davis, John W. Kitchin Shipley
 Davis, Tenn. Kornegay Short
 Dawson Kowalski Shriver
 Delaney Landrum Sikes
 Denton Lane Sisk
 Diggs Lankford Smith, Iowa
 Dingell Latta Smith, Miss.
 Dole Lennon Smith, Va.
 Dominick Lesinski Springer
 Donohue Libonati Steed
 Dowdy Loser Stephens
 Downing McCormack Stubblefield
 Doyle McDowell Sullivan
 Edmondson McFall Teague, Tex.
 Elliott McMillan Thompson, N.J.
 Ellsworth McVey Thornberry
 Everett Macdonald Toll
 Evans Mack Trimble
 Farbstein Madden Tuck
 Finnegan Mahon Udall, Morris K.
 Fisher Matthews Ullman
 Flood May Watts
 Flynt Miller, Clem Whitener
 Forrester Miller, Wickersham
 Fountain George P. Williams
 Friedel Mills Wilson, Ind.
 Garmatz Moeller Winstead
 Gary Montoya Wright
 Gathings Moorhead, Pa. Yates
 Giaimo Morgan Zablocki
 Gilbert Morris Zelenko
 Granahan Moss

NAYS—149

Addabbo Chamberlain Frelinghuysen
 Addonizio Church Fulton
 Alger Clancy Gallagher
 Andersen, Minn. Collier Garland
 Anderson, Ill. Conte Gavin
 Ashbrook Corbett Glenn
 Auchincloss Corman Goodling
 Baker Cramer Griffin
 Baldwin Cunningham Gross
 Barry Curtin Gubser
 Bass, N.H. Curtis, Mass. Haley
 Bates Curtis, Mo. Harrison, Wyo.
 Becker Daniels Harsha
 Beermann Dent Harvey, Mich.
 Bennett, Mich. Derounian Herlong
 Betts Devine Hiestand
 Bolton Dorn Hoffman, Ill.
 Bow Dulski Hoffman, Mich.
 Brewster Durno Holland
 Bromwell Dwyer Hosmer
 Broomfield Fallon Jensen
 Brown Fascell Joelson
 Broyhill Feighan Johansen
 Bruce Fenton Johnson, Md.
 Cahill Findley Jonas
 Cederberg Fino Judd
 Fogarty Fogarty Keith

King, N.Y. Moorehead, Ohio
 Knox Morse
 Kunkel Mosher
 Kyl Nelsen
 Laird Nelsén
 Langen Norblad
 Lindsay Ostertag
 Lipscomb Pike
 McCulloch Pillion
 McIntire Poff
 MacGregor Quile
 Mailliard Ray
 Marshall Reece
 Martin, Mass. Riehlman
 Mason Robison
 Mathias Rodino
 Meader Rogers, Fla.
 Merrow Rousselot
 Michel St. Germain
 Miller, N.Y. Schadeberg
 Milliken Schenck
 Minshall Scherer
 Monagan Schneebeli
 Moore Schweiker

NOT VOTING—73

Anfuso Halpern Rabaut
 Arends Harrison, Va. Rains
 Ayres Hébert Reuss
 Bass, Tenn. Hoeven Rogers, Tex.
 Bell Holtzman Roosevelt
 Berry Johnson, Calif. St. George
 Boggs Johnson, Wis. Saund
 Brooks Jones, Mo. Saylor
 Buckley Kearns Shelley
 Byrnes, Wis. Kilburn Siler
 Carey Kluczynski Slack
 Casey McDonough Spence
 Celler McSween Taylor
 Chipperfield Martin, Nebr. Teague, Calif.
 Colmer Morrison Thomas
 Cooley Moulder Thompson, La.
 Daddario Multer Thompson, Tex.
 Dague Norrell Utt
 Derwinski Osmers Vinson
 Dooley Pelly Weaver
 Ford Pfost Westland
 Frazier Pilcher Willis
 Goodell Pirnie Young
 Hall Powell Younger

So (two-thirds not having voted in favor thereof) the motion was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert and Mr. Rains for, with Mr. Kilburn against.

Mr. Frazier and Mr. Cooley for, with Mr. Hoeven against.

Mr. Thompson of Texas and Mr. Buckley for, with Mr. Pelly against.

Mr. Berry and Mr. Arends for, with Mr. Ford against.

Mr. Anfuso and Mr. Multer for, with Mr. Pirnie against.

Mr. Powell and Mr. Holtzman for, with Mr. Hall against.

Mr. Celler and Mr. Carey for, with Mr. Martin of Nebraska against.

Mr. Boggs and Mr. Bass of Tennessee for, with Mr. McDonough against.

Mr. Brooks and Mr. Harrison of Virginia for, with Mr. Younger against.

Mr. Shelley and Mr. Willis for, with Mrs. St. George against.

Mr. Roosevelt and Mr. Pilcher for, with Mr. Bell against.

Mr. Rogers of Texas and Mr. Colmer for, with Mr. Byrnes of Wisconsin against.

Mr. Morrison and Mr. Thompson of Louisiana for, with Mr. Osmers against.

Mr. Daddario and Mr. Kluczynski for, with Mr. Utt against.

Until further notice:

Mr. McSween with Mr. Ayres.

Mrs. Pfost with Mr. Saylor.

Mr. Moulder with Mr. Siler.

Mrs. Norrell with Mr. Chipperfield.

Mr. Rabaut with Mr. Dooley.

Mr. Reuss with Mr. Weaver.

Mr. Saund with Mr. Kearns.

Mr. Casey with Mr. Goodell.

Mr. Johnson of California with Mr. Derwinski.

Mr. Johnson of Wisconsin with Mr. Westland.

Mr. Young with Mr. Halpern.

Mr. Slack with Mr. Teague of California.

Mr. ADDONIZIO changed his vote from "yea" to "nay."

Mr. AUCHINCLOSS changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

PERSONAL ANNOUNCEMENT

Mr. SANTANGELO. Mr. Speaker, on rollcalls 210, 211, and 212 earlier today I was unavoidably absent on official business. Had I been present, I would have voted "yea" in each instance.

INCREASE IN TOP GRADE POSITIONS

Mr. MURRAY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7377) to increase the limitation on the number of positions which may be placed in the top grades of the Classification Act of 1949, as amended, and on the number of research and development positions of scientists and engineers for which special rates of pay are authorized; to fix the compensation of hearing examiners; and for other purposes.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—POSITIONS IN TOP GRADES OF CLASSIFICATION ACT OF 1949

Congressional findings and declaration of policy with respect to top grades of classification act of 1949

SEC. 101. (a) The Congress hereby finds that—

(1) the public interest requires that effective limitations and controls be established and maintained with respect to the allocation of positions—whether by law or by administrative action—to grades 16, 17, and 18 of the Classification Act of 1949—the so-called top grades below the Federal executive level in the Government service—in order to prevent the unwarranted allocation of positions to such grades and to promote efficiency and economy in the operation of the Government;

(2) one of the principal purposes of the Classification Act of 1949, as originally enacted and as amended from time to time, was, and continues to be, the establishment and maintenance, by specific provisions of such Act, of a coordinated and comprehensive authority and control over the allocation of positions to these top grades of such Act;

(3) under the rules of the Senate and the rules of the House of Representatives, as applicable, and the Legislative Reorganization Act of 1946, the Committee on Post Office and Civil Service of the Senate and the Committee on Post Office and Civil Service of the House of Representatives are vested with exclusive legislative jurisdiction, and charged with the duty of exercising legislative oversight and supervision, with respect to all matters within the purview of the Classification Act of 1949 and the administration thereof, including the allocation of positions to these top grades of such Act;

(4) this legislative authority, duty, and jurisdiction of such committees, and the

orderly and established legislative processes of the Congress generally in this respect, are being undermined by the increasing practice, resulting from certain solicitations from individual departments and agencies in the executive branch and elsewhere, of allocating additional numbers of positions to such top grades by means of appropriation Acts and other laws and reorganization plans (other than the Classification Act of 1949) which disregarded the numerical limitations or the standards and procedures, or both, with respect to the allocation of positions to such grades.

(5) at the present time, therefore, the pertinent provisions of the Classification Act of 1949 do not reflect, even by approximation, the existing state of the law with respect to the total number of positions which may be allocated to the top grades of such Act; and

(6) this state of affairs subverts and undermines the object and purpose of the Classification Act of 1949 with respect to the allocation of positions to such top grades of such Act.

(b) It is, therefore, hereby declared to be the sense of the Congress—

(1) that the matter of requesting the allocation of additional numbers of positions to the top grades of the Classification Act of 1949, whether by groups of positions or on an individual basis, is properly within the jurisdiction of those standing committees of the Senate and House of Representatives having jurisdiction over the Classification Act of 1949 in accordance with orderly and established legislative processes—the Committee on Post Office and Civil Service of the Senate and the Committee on Post Office and Civil Service of the House of Representatives;

(2) that the Director of the Bureau of the Budget, the United States Civil Service Commission, and other authority designated by the President exercise to the fullest extent the authority and responsibility of disapproving requests of the departments and agencies in the executive branch for individual exceptions (to be attained through the enactment of laws outside the jurisdiction of the committees above referred to) from the numerical limitations or the standards and procedures, or both, imposed by the Classification Act of 1949 with respect to the allocation of positions to the top grades of such Act; and

(3) that, if need should develop for increasing such numerical limitations or waiving such standards or procedures, or both, in any case or cases, the matter should be presented promptly to the Congress in a manner consistent with the legislative authority, duty, responsibility, and jurisdiction of the respective Committees on Post Office and Civil Service of the Senate and House of Representatives.

Increase in number of authorized top grade positions under Classification Act of 1949

SEC. 102. (a) Subsection (b) of section 505 of the Classification Act of 1949, as amended (5 U.S.C. 1105 (b)), relating to the maximum number of positions authorized at any one time for grades 16, 17, and 18 of the General Schedule of such Act, is amended to read as follows:

"(b) Subject to subsections (c), (d), (e), (f), (g), (j), and (m) of this section, a majority of the Civil Service Commissioners are authorized to establish and, from time to time, revise the maximum numbers of positions (not to exceed nineteen hundred and twenty-nine) which may be in grades 16, 17, and 18 of the General Schedule at any one time."

(b) Subsection (j) of such section 505, as amended (5 U.S.C. 1105(j)), relating to positions authorized for the Department of Defense in grades 16, 17, and 18 of the General Schedule of the Classification Act of 1949,

is amended by striking out "three hundred seventy-two positions" and inserting in lieu thereof "four hundred twelve positions".

(c) Such section 505, as amended, is amended by adding at the end thereof the following new subsections:

"(m) The Federal Home Loan Bank Board is authorized, subject to the standards and procedures prescribed by this Act, to allot a total of not more than four positions in grades 16, 17, and 18 of the General Schedule. Such positions shall be in addition to the number of positions authorized to be placed in such grades by subsection (b).

"(n) The Director of the United States Arms Control Agency is authorized, subject to the standards and procedures prescribed by this Act, to allot a total of not more than fourteen positions in grades 16, 17, and 18 of the General Schedule. Such positions shall be in addition to the number of positions authorized to be placed in such grades by subsection (b).

"(o) In any case in which, during the Eighty-seventh Congress, provisions are included in any Act of Congress (other than those contained in this Act) which authorize any agency of the Government to place additional positions in grade 16, 17, or 18 of the General Schedule, the Commission is authorized and directed to withdraw from such agency the allotments of a number of positions (equal to the number of such additional positions authorized under such Act of Congress) made by the Commission for such agency out of the number of positions authorized by subsection (b) of this section, to the extent possible in the light of the number of positions so allotted to such agency and in the light of the number of such additional positions authorized under such Act of Congress."

(d) Subsection (n) of section 505 of the Classification Act of 1949, as amended, as added by subsection (c) of this section, which provides top grade positions for the United States Arms Control Agency, shall not be in effect after December 31, 1961, unless, on or prior to such date, such agency shall have been established by law.

Conforming changes in existing law

SEC. 103. The following provisions of law are hereby repealed:

(1) Subsections (f), (k), and (l) of section 505 of the Classification Act of 1949, as amended (5 U.S.C. 1105(f), (k), and (l)), authorizing five positions, two hundred and sixty positions, and twenty-five positions in grades 16, 17, and 18 of the General Schedule of such Act for the National Security Council, the Department of the Treasury, and the Interstate Commerce Commission, respectively.

(2) Sections 202(b) and 302(j) of the Federal Aviation Act of 1958 (72 Stat. 742 and 747; 49 U.S.C. 1322(b) and 1343(h)), authorizing eight positions and seventy positions in grades 16, 17, and 18 of the General Schedule of the Classification Act of 1949 for the Civil Aeronautics Board and the Federal Aviation Agency, respectively.

(3) The last sentence of section 5(a) of the Small Business Act (72 Stat. 385; 15 U.S.C. 634(a)), authorizing fifteen positions in grades 16, 17, and 18 of such General Schedule for the Small Business Administration.

(4) Section 205(a)(11) of the National Capital Transportation Act of 1960 (74 Stat. 543; Public Law 86-669), authorizing five positions in grades 16, 17, and 18 of such General Schedule for the National Capital Transportation Agency.

(5) The proviso in the paragraph under the heading "FEDERAL POWER COMMISSION" and under the subheading "SALARIES AND EXPENSES" in title I of the Independent Offices Appropriation Act, 1961 (74 Stat. 429; Public Law 86-626), authorizing six positions in grades 16, 17, and 18 of such Gen-

eral Schedule for the Federal Power Commission.

(6) The proviso in the paragraph under the heading "CIVIL AERONAUTICS BOARD" and under the subheading "SALARIES AND EXPENSES" in title III of the Department of Commerce and Related Agencies Appropriation Act, 1959 (72 Stat. 237; 49 U.S.C. 1322, note), authorizing ten positions in such grades 16, 17, and 18 for the Civil Aeronautics Board:

(7) Subsection (b) of the first section of the Act of September 23, 1959 (73 Stat. 700; 5 U.S.C. 1105, note; Public Law 86-377), containing certain provisions with respect to positions in such grades 16, 17, and 18 in the Department of Defense, which reads as follows:

"(b) The total number of positions authorized by section 505(b) of the Classification Act of 1949, as amended (5 U.S.C. 1105(b)), to be placed in grades 16, 17, and 18 of the General Schedule of such Act at any time shall be deemed to have been reduced by the number of positions in such grades allocated to the Department of Defense immediately prior to the date of enactment of this Act. The respective numbers of positions authorized by such section 505(b) to be placed in grades 17 and 18 of such schedule at any one time shall be deemed to have been reduced by the respective numbers of positions in such grades allocated to the Department of Defense immediately prior to the date of enactment of this Act."

(8) That part of the first sentence of section 601 of the Supplemental Defense Appropriation Act, 1958 (72 Stat. 8; 10 U.S.C. 1581, note), authorizing the Secretary of Defense to place ten positions in such grades 16, 17, and 18, which reads as follows: "and to place ten positions in grades 16, 17, or 18 of the General Schedule, in accordance with the procedures prescribed in the Classification Act of 1949, as amended".

(9) The last paragraph under the heading "GENERAL SERVICES ADMINISTRATION" in title I of the Independent Offices Appropriation Act, 1957 (70 Stat. 345; Public Law 623, Eighty-fourth Congress), authorizing ten positions in grade 16 of the General Schedule of the Classification Act of 1949 for the General Services Administration.

(10) That part of the second sentence of section 3 of Reorganization Plan Numbered 1 of 1958, effective July 1, 1958 (72 Stat. 1800; 23 F.R. 4991), authorizing not to exceed ten positions of regional director of the regional offices of the Office of Civil and Defense Mobilization to receive compensation under the Classification Act of 1949 without regard to the numerical limitations on positions in section 505 of such Act, which reads as follows: "except that the compensation may be fixed without regard to the numerical limitations on positions set forth in section 505 of the Classification Act of 1949, as amended (5 U.S.C. 1105)".

(11) The paragraph under the heading "COMMODITY CREDIT CORPORATION" in chapter I of the Supplemental Appropriation Act, 1956 (69 Stat. 451; 15 U.S.C. 714h, note), authorizing the position of sales manager in the Commodity Credit Corporation to be placed in grade 17 of the General Schedule of the Classification Act of 1949.

(12) Section 302 of the Act of July 31, 1956 (70 Stat. 743; 5 U.S.C. 517c), authorizing three positions of Deputy Administrator of the Agricultural Research Service, Department of Agriculture, to be placed in grade 18 of such General Schedule.

(13) That part of the first paragraph of section 205 of the Public Works Appropriation Act, 1958 (71 Stat. 423; Public Law 85-167), which reads as follows: "the position of Administrator of the Southeastern Power Administration shall be in grade GS-18 of the Classification Act of 1949, as amended, but without regard to the numeri-

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only
should not be quoted
or cited)

Issued February 6, 1962
For actions of February 5, 1962
87th-2d, No. 17

Administrative procedure.....	27	Education.....	9,35	Pay.....	15,28
American Samoa.....	25	Eggs.....	31	Personnel.....	15,28
Antidumping.....	26	Farm housing.....	29	Poultry.....	31
Area redevelopment.....	11	Farm program.....	2,8,20	Public debt.....	5
Banking.....	4	Feed grains.....	3	Research.....	16
Budget.....	14,22	Foreign trade.....	6,21,26,36	School lunch.....	12
Committee assignments.....	17	Forestry.....	10,32	Small business.....	34
Conservation reserve.....	30	Housing.....	13	Stockpiles.....	24
Dairy program.....	18	Leases.....	34	Territories.....	25
Easements.....	1	Legislative program.....	7	Transportation.....	32
		Loans.....	4,29	Urban affairs.....	23

HIGHLIGHTS: Senator Case, S. Dakota, criticized farm bill.

HOUSE

1. EASEMENTS. Passed with amendment H. R. 8355, to authorize executive agencies to grant easements in, over, or upon real real property of the U. S. under the control of such agencies. Agreed to an amendment by Rep. McFall to exclude Forest Service lands from the provisions of this bill. pp. 1424-5
2. FARM PROGRAM. Received from this Department a proposed farm bill; to Agriculture Committee. p. 1451
3. FEED GRAINS. At the request of Rep. Ford, passed over H. R. 8914, to permit producers on farms on which summer fallow is a normal practice to plant barley on land devoted to summer fallow during 1961 which is diverted from wheat under the 1962 Wheat Stabilization Program provided an overall reduction of 20% is made in corn, grain sorghums, and barley. p. 1425
4. BANKING. Received from the President a proposed bill "To amend the Bretton Woods Agreements Act to authorize the United States to participate in loans to the

International Monetary Fund to strengthen the international monetary system"; to Banking and Currency Committee. p. 1451

5. PUBLIC DEBT. The "Daily Digest" states that the "Committee on Ways and Means: Met in executive session and voted to instruct the chairman to introduce a bill, H. R. 10050, to provide a further temporary \$2 billion increase in the debt ceiling until June 30, 1962." p. D65

6. FOREIGN TRADE. Rep. Dent discussed foreign trade, saying, "for every job created by exports we lose five American jobs taken from us by imports." pp. 1445-50

7. LEGISLATIVE PROGRAM. Rep. Albert announced that H. R. 6360, to provide for an additional Assistant Secretary of Commerce, and H. R. 8399, the proposed Manpower Development and Training Act of 1962, will be considered this week. p. 1423

SENATE

8. FARM PROGRAM. Sen. Case, S. Dak., criticized the proposed farm bill, particularly titles III, IV, and V which he contended "will destroy farming as a way of life as we have known it in America. These titles, in effect, would put the producers of milk, turkeys, feed grains, and wheat on a franchise basis." p. 1468

9. EDUCATION. Continued debate on S. 1241, to authorize Federal assistance to institutions of higher education in financing the construction and improvement of educational facilities. pp. 1476-1510, 1514-34, 1536-9

10. FORESTRY. Sen. Allott reviewed and commended the recent report of the Outdoor Recreation Resources Review Commission and stated that "it does a great service by crystallizing the areas of interest and need." pp. 1534-5

Sen. Douglas commended the report as furnishing "the Congress with a systematic and convincing document in support of increased efforts to meet our national and regional recreation needs." p. 1540

Sen. McCarthy inserted the speech of Sen. Humphrey at the dedication of the Hubert H. Humphrey Forest in Israel discussing the importance of natural resource conservation. pp. 1472-3

11. AREA REDEVELOPMENT. Sen. Carroll commended the work of the Canon City (Colo.) Area Development Foundation, Inc., in promoting the economic development of the community and inserted a summary of the purposes and accomplishments of the Foundation. p. 1503

12. SCHOOL LUNCH. Sen. Humphrey commended the school lunch program as "one of the most successful and least troublesome of any of the programs sponsored by the Government and the Department of Agriculture," and inserted an editorial commending the program. pp. 1535-6

13. HOUSING. Several Senators debated the merits of the President's proposed reorganization plan to establish a Department of Urban Affairs and Housing. pp. 1510-4

14. BUDGET. Sen. Douglas discussed the comparative budgets of the U. S. and certain European countries, stated that "the budgets of many European countries show a surplus only because they do not include capital improvements in their

center down in Foggy Bottom? Would this in any way affect that deal?

Mr. McFALL. I would not think it would have any connection with that operation. I do not believe it would have any connection with it at all.

Mr. GROSS. Will this bill have any effect upon the deal near the Capitol where someone is talking about a monument to former President Madison, and someone else talks about an underground vault for presidential papers?

Mr. McFALL. I do not know of any such connection.

Mr. GROSS. This bill will not have anything to do with burying presidential papers in the area near the Capitol that was recently acquired by the Government?

Mr. McFALL. I do not think so. So far as I know it is confined to the granting of an easement for right-of-way purposes.

Mr. GROSS. This will not have anything to do with the action which the Justice Department has taken to convene a grand jury or go to Federal court over the negotiated settlements for some of that property? This will not have anything to do with that, will it?

Mr. McFALL. I do not believe so. The Attorney General already has this authority to deal with lands which are under his jurisdiction at the present time.

Mr. GROSS. And, if it does, does the gentleman suppose the Justice Department will investigate the Democrats as well as the Republicans insofar as those negotiated settlements are concerned?

Mr. McFALL. I would have no information concerning that.

Mr. GROSS. I see.

Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the requested consideration of the bill?

There was no objection.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever a State or political subdivision or agency thereof or any person makes application for the grant of an easement in, over or upon real property of the United States for a right-of-way or other purpose, the executive agency having control of such real property may grant to the applicant, on behalf of the United States, such easement as the head of such agency determines will not be adverse to the interests of the United States, subject to such reservations, exceptions, limitations, benefits, burdens, terms, or conditions, including those provided in section 2 hereof, as the head of the agency deems necessary to protect the interests of the United States. Such grant may be made without consideration, or with monetary or other consideration, including any interest in real property. In connection with the grant of such an easement, the executive agency concerned may relinquish to the State in which the affected real property is located such legislative jurisdiction as the executive agency deems necessary or desirable. Relinquishment of legislative jurisdiction under the authority of this Act may be accomplished by filing with the Governor of the State concerned a notice of relinquishment to take effect upon acceptance thereof or by proceeding in such manner as the laws applicable to such State may provide.

Sec. 2. The instrument granting any such easement may provide for termination of the easement in whole or in part if there has been—

(a) a failure to comply with any term or condition of the grant, or

(b) a nonuse of the easement for a consecutive two-year period for the purpose for which granted, or

(c) an abandonment of the easement.

If such a provision is included, it shall require that written notice of such termination shall be given to the grantee, or its successors or assigns. The termination shall be effective as of the date of such notice.

Sec. 3. The authority conferred by this Act shall be in addition to, and shall not affect or be subject to, any other law under which an executive agency may grant easements.

Sec. 4. As used in this Act—

(a) The term "State" means the States of the Union, the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States.

(b) The term "executive agency" means any executive department or independent establishment in the executive branch of the Government, including any wholly owned Government corporation.

(c) The term "person" includes any corporation, partnership, firm, association, trust, estate, or other entity.

With the following committee amendment:

Page 3, after line 16, insert the following: "(d) The term 'real property of the United States' excludes the public lands (including minerals, vegetative, and other resources) in the United States, including lands within reservations formed from the public domain and other lands permanently or temporarily withdrawn from any of all forms of appropriation provided for in the public land laws."

Mr. McFALL. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. McFALL to the committee amendment: On page 3, line 22, strike the period, insert a comma, and add the following language: "and including lands administered by the U.S. Forest Service."

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PARTICIPATION IN 1962 FEED GRAIN PROGRAM

The Clerk called the bill (H.R. 8914) to amend subsection (d) of section 16 of the Soil Conservation and Domestic Allotment Act, as amended.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, it is my recollection that on September 18, 1961, by a vote of 213 to 149 this bill was not approved under suspension of the rules. Inasmuch as there was substantial objection to the legislation, Mr. Speaker, I withdraw my reservation of objection and ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PRINCE GEORGES COUNTY SCHOOL BOARD, MARYLAND

The Clerk called the bill (H.R. 6759) for the relief of the Prince Georges County School Board, Maryland.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

AMENDING THE BANKRUPTCY ACT, AS AMENDED

The Clerk called the bill (H.R. 5393) to amend the Bankruptcy Act, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That clause (1) of subsection a of section 2 of the Bankruptcy Act approved July 1, 1898, as amended (11 U.S.C. 11(a)(1)), is amended to read as follows:

"(1) Adjudge persons bankrupt who have had their principal place of business, resided, or had their domicile within their respective territorial jurisdictions for the preceding six months, or for a longer portion of the preceding six months than in any other jurisdiction, or who do not have their principal place of business, reside, or have their domicile within the United States, but have property within their jurisdiction, or in any cases transferred to them pursuant to this Act;"

Sec. 2. Subsection a of section 2 of the Bankruptcy Act (11 U.S.C. 11(a)) is amended (1) by deleting the word "and" at the end of clause (20); (2) by striking out the period at the end of clause (21) and inserting "; and"; and (3) by adding the following new paragraph:

"(22) Exercise, withhold, or suspend the exercise of jurisdiction, having regard to the rights or convenience of local creditors and to all other relevant circumstances, where a bankrupt has been adjudged bankrupt by a court of competent jurisdiction without the United States."

Sec. 3. Subsection i of section 57 of the Bankruptcy Act (11 U.S.C. 93(i)) is amended to read as follows:

"i. Whenever a creditor whose claim against a bankrupt estate is secured, in whole or in part, by the individual undertaking of a person, fails to prove and file that claim, that person may do so in the creditor's name, and he shall be subrogated to the rights of the creditor, whether the claim has been filed by the creditor or by him in the creditor's name, to the extent that he discharges the undertaking except that in absence of an agreement to the contrary, he shall not be entitled to any dividend until the amount paid to the creditor on the undertaking plus the dividends paid to the creditor from the bankrupt estate on the claim equal the amount of the entire claim of the creditor. Any excess received by the creditor shall be held by him in trust for such person."

Sec. 4. Clause (6) of subsection a of section 58 of the Bankruptcy Act (11 U.S.C. 94(a)(6)) is amended to read as follows:

"(6) the proposed compromise of a controversy unless the court, for cause shown, directs that notice be not sent;"

Sec. 5. Subsection b of section 59 of the Bankruptcy Act (11 U.S.C. 95(b)) is amended to read as follows:

"b. Three or more creditors who have provable claims not contingent as to liability against a person, amounting in the aggregate to \$500 in excess of the value of any securities held by them, or, if all of the creditors of the person are less than twelve in number, then one or more of the creditors whose claim or claims equal that amount, may file a petition to have him adjudged a bankrupt; but the claim or claims, if unliquidated, shall not be counted in computing the number and the aggregate amount of the claims of the creditors joining in the petition, if the court determines that the claim or claims cannot be readily determined or estimated to be sufficient, together with the claims of the other creditors, to aggregate \$500, without unduly delaying the decision upon the adjudication."

SEC. 6. Clause (1) of subsection a of section 64 of the Bankruptcy Act (11 U.S.C. 104 (a)(1)) is amended to read as follows:

"(1) the costs and expenses of administration, including the actual and necessary costs and expenses of preserving the estate subsequent to filing the petition; the fees for the referees' salary and expense fund; the filing fees paid by creditors in involuntary cases or by persons other than the bankrupts in voluntary cases; where property of the bankrupt, transferred or concealed by him either before or after the filing of the petition, is recovered for the benefit of the estate of the bankrupt by the efforts and at the cost and expense of one or more creditors, the reasonable costs and expenses of the recovery; the trustee's expenses in opposing the bankrupt's discharge or in connection with the criminal prosecution of an offense punishable under chapter 9 of title 18 of the United States Code, or an offense concerning the business or property of the bankrupt punishable under other laws, Federal or State; the fees and mileage payable to witnesses as now or hereafter provided by the laws of the United States, and one reasonable attorney's fee, for the professional services actually rendered, irrespective of the number of attorneys employed, to the bankrupt in voluntary and involuntary cases, and to the petitioning creditors in involuntary cases, and if the court adjudges the debtor bankrupt over the debtor's objection or pursuant to a voluntary petition filed by the debtor during the pendency of an involuntary proceeding, for the reasonable costs and expenses incurred, or the reasonable disbursements made by them, including but not limited to compensation of accountants and appraisers employed by them, in such amount as the court may allow. Where an order is entered in a proceeding under any chapter of this Act directing that bankruptcy be proceeded with, the costs and expenses of administration incurred in the ensuing bankruptcy proceeding shall have priority in advance of payment of the unpaid costs and expenses of administration, including the allowances provided for in such chapter, incurred in the superseded proceeding and in the suspended bankruptcy proceeding, if any;"

SEC. 7. Subsection b of section 70 of the Bankruptcy Act (11 U.S.C. 110(b)) is amended to read as follows:

"b. The trustee shall assume or reject an executory contract, including an unexpired lease of real property, within sixty days after the adjudication or within thirty days after the qualification of the trustee, whichever is later, but the court may for cause shown extend or reduce the time. Any such contract or lease not assumed or rejected within that time shall be deemed to be rejected. If a trustee is not appointed, any such contract or lease shall be deemed to be rejected within thirty days after the date of the order directing that a trustee be not appointed. A trustee shall file, within sixty days after adjudication or within thirty days after he has qualified, whichever is later,

unless the court for cause shown extends or reduces the time, a statement under oath showing which, if any, of the contracts of the bankrupt are executory in whole or in part, including unexpired leases of real property, and which, if any, have been rejected by the trustee. Unless a lease of real property expressly otherwise provides, a rejection of the lease or of any covenant therein by the trustee of the lessor does not deprive the lessee of his estate. A general covenant or condition in a lease that it shall not be assigned shall not be construed to prevent the trustee from assuming the same at his election and subsequently assigning the same; but an express covenant that an assignment by operation of law or the bankruptcy of a specified party thereto or of either party shall terminate the lease or give the other party an election to terminate the same is enforceable. A trustee who elects to assume a contract or lease of the bankrupt and who subsequently, with the approval of the court and upon such terms and conditions as the court may fix after hearing upon notice to the other party to the contract or lease, assigns the contract or lease to a third person, is not liable for breaches occurring after the assignment."

SEC. 8. Subsection f of section 70 of the Bankruptcy Act (11 U.S.C. 110(f)) is amended to read as follows:

"f. The court shall appoint a competent and disinterested appraiser and upon cause shown may appoint additional appraisers, who shall appraise all the items of real and personal property belonging to the bankrupt estate and who shall prepare and file with the court their report thereof. Real and personal property shall, when practicable, be sold subject to the approval of the court. It shall not be sold otherwise than subject to the approval of the court for less than 75 per centum of its appraised value. Whenever a sale of real or personal property of a bankrupt is made by or through an auctioneer employed by the court, receiver, or trustee, the auctioneer must be a duly licensed or authorized auctioneer in the place where the sale is to be conducted."

SEC. 9. Subsection a of section 77 of the Bankruptcy Act (11 U.S.C. 205(a)) is amended to read as follows:

"(a) Any railroad corporation may file a petition stating that it is insolvent or unable to meet its debts as they mature and that it desires to effect a plan of reorganization. The petition shall be filed with the court in whose territorial jurisdiction the corporation, during the preceding six months or the greater portion thereof, has had its principal executive or operating office, and a copy of the petition shall at the same time be filed with the Interstate Commerce Commission (hereinafter called the 'Commission'). When any railroad, although engaged in interstate commerce, lies wholly within one State, the proceedings shall be brought in the United States district court for the district in which its principal operating office has been located during the preceding six months or the greater portion thereof. The petition shall be accompanied by payment to the clerk of a filing fee of \$100. Upon the filing of such a petition, the judge shall enter an order either approving it as properly filed under this section, if satisfied that it complies with this section and has been filed in good faith, or dismissing it, if he is not so satisfied. If the petition is so approved, the court in which the order is entered shall, during the pendency of the proceedings under this section and for the purposes thereof, have exclusive jurisdiction of the debtor and its property wherever located, and shall have and may exercise in addition to the powers conferred by this section all the powers, not inconsistent with this section, which a court of the United States would have had if it had appointed a receiver in equity of the prop-

erty of the debtor for any purpose. Process of the court shall extend to and be valid when served in any judicial district. The Supreme Court of the United States shall promulgate rules relating to the service of process outside of the district in which the proceeding is pending, and any other rules which it may deem advisable in order to aid district courts and courts of appeal in exercising the jurisdiction herein conferred upon them. The railroad corporation shall be referred to in the proceedings as a 'debtor'. Any railroad corporation the majority of the capital stock of which having power to vote for the election of directors is owned, either directly or indirectly through an intervening medium, by any railroad corporation filing a petition as a debtor may file, with the court in which the other debtor has filed such a petition, and in the same proceeding, a petition, a copy of which shall also be filed at the same time with the Commission, stating that it is insolvent or unable to meet its debts as they mature, and that it desires to effect a reorganization in connection with, or as a part of the plan of reorganization of the other debtor; and upon the filing of the petition, the judge shall enter an order either approving it as properly filed under this section, if satisfied that it complies with this section and has been filed in good faith, or dismissing it if not so satisfied, and thereupon the court, if it approves the petition, shall have the same jurisdiction with respect to such debtor, its property and its creditors and stockholders, as the court has with respect to the other debtor. Creditors of any railroad corporation, having claims aggregating not less than 5 per centum of all the indebtedness of the corporation as shown in the latest annual report which it has filed with the Commission at the time when the petition is filed, may, if the corporation has not filed a petition under this section, file with the court in which the corporation might file a petition under this section, a petition stating that the corporation is insolvent or unable to meet its debts as they mature and that the creditors have claims aggregating not less than 5 per centum of all such indebtedness of the corporation and propose that it shall effect a reorganization; copies of the petition shall be filed at the same time with the Commission and served upon the corporation. The corporation shall, within ten days after such service, answer the petition. If the answer admits the jurisdiction of the court and the material allegations of the petition, the judge shall enter an order approving the petition as properly filed if satisfied that it complies with this section and has been filed in good faith, or dismissing it, if not so satisfied. If the answer denies either the jurisdiction of the court or any material allegation of the petition, the judge shall summarily determine the issues presented by the pleadings without the intervention of a jury, and if he finds that the material allegations are sustained by the proofs and that the petition complies with this section and has been filed in good faith, the judge shall enter an order approving the petition; otherwise, he shall dismiss the petition. If such a petition is so approved, the proceedings thereon shall continue with like effect as if the railroad corporation had itself filed a petition under this section. If a petition is dismissed, neither the petition nor the answer of a debtor constitute an act of bankruptcy or an admission of insolvency or of inability to meet maturing obligations or be admissible in evidence, without the debtor's consent, in any proceedings then or thereafter pending or commenced under this Act or in any State or United States court. If, in any case in which the issues have not already been tried under the provisions of this subdivision, any of the creditors, prior to the hearing provided for in paragraph (1)

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued February 8, 1962
For actions of February 7, 1962
87th-2d, No. 19

CONTENTS

Antidumping.....	25	Foreign trade...6,14,17,25	Public works.....	23	
Appropriations.....	1	Forest fire fighting....	1	Recreation.....	18
Banking.....	29	Forestry.....	13	Reservoir areas.....	9
Conservation reserve....	27	Housing.....7,15	Retirement.....	22	
Cropland retirement.....	24	Insect control.....	1	Rice acreage history....	9
Disease control.....	1	Irrigation.....	3	School lunch.....	28
Economics.....	32	Libraries.....	4	Screwworm eradication....	1
Education.....11,19,26		Milk.....	21	Small business.....	20
Electrification.....	16	National parks.....	13	Soil conservation.....	9
Farm program.....2,10,24		Personnel.....12,22,30	Stockpiling.....	8	
Feed grains.....	9	Poultry inspection.....	1	Tariffs.....	31
Foreign currencies.....	31	Public debt.....	5	Wheat.....	9

HIGHLIGHTS: House received supplemental appropriation estimates for FS, ARS, and AMS. Sen. Miller criticized farm bill. Senate committee voted to report bills to permit farms on which summer fallow is practiced to participate in feed grain program, and to permit producers to withdraw wheat from stored excess supplies. Sen. Javits introduced and discussed bill to extend school lunch program to non-profit summer camps for children.

HOUSE

1. APPROPRIATIONS. Received from the President supplemental appropriation estimates for the fiscal year 1962 (H. Doc. 333); to Appropriations Committee. This document includes for this Department estimates of \$3,000,000 for the Agricultural Research Service to extend the screwworm eradication program into the Southwest; \$36,000,000 for fighting forest fires and \$1,000,000 for insect and disease control for the Forest Service; and \$450,000 for the Agricultural Marketing Service for an increased volume of poultry inspection. p. 1875
2. FARM PROGRAM. Extension of remarks of Rep. Johnson, Wis., inserting a speech by John Baker before the Land and People Conference, "Opportunities for People on the Land." pp. 1367-72
3. IRRIGATION. The "Daily Digest" states that the Interior and Insular Affairs Committee "defeated a motion to order reported H. R. 378, relating to the Burns Creek site in the upper Snake River Valley, Idaho." p. D76

4. LIBRARIES. The "Daily Digest" states that Subcommittee No. 3 of the Judiciary Committee "reported adversely to the full committee ... S. 464, and related House bills, granting the consent of Congress to interstate compacts for the development or operation of library facilities and service." p. D77
5. PUBLIC DEBT. The Ways and Means Committee voted to report (but did not actually report) H. R. 10050, to provide for a further temporary increase in the public debt limit. p. D77
6. FOREIGN TRADE. Rep. Collier favorably discussed the renewal of the Reciprocal Trade Agreements Act, and said, "I believe it is the responsibility of Congress in renewing the Reciprocal Trade Agreements Act to place embargoes upon Communist nations." pp. 1853-4
Rep. Bailey inserted "Excerpts From AFL-CIO Debate on Foreign Trade Relations." pp. 1859-60
7. HOUSING. Several Representatives discussed the merits of the proposed Department of Urban Affairs and Housing. pp. 1858-9, 1860-5
8. STOCKPILING. Rep. Burke, Mass., said, "President Kennedy is to be commended for his courageous action of last week in ordering the Government to cease stockpiling critical materials," and inserted an article, "Kirwin Leads Attack on Stockpiling." pp. 1872-3

SENATE

9. THE AGRICULTURE AND FORESTRY COMMITTEE voted to report (but did not actually report) the following bills: pp. D74-5
~~H. R. 8842, without amendment, to amend the Agricultural Act of 1961 so as to permit a wheat producer to withdraw from his stored excess the amount of wheat by which he fails to make his normal production on the reduced acreage allotment, less the acres voluntarily retired below the allotment;~~
S. 2533, with amendment, to amend the Soil Conservation and Domestic Allotment Act so as to permit farmers in summer-fallow areas to participate in the feed grains program;
S. 875, without amendment, to authorize the Secretary of Agriculture to convey to Wyoming for agricultural purposes the SCS Farson Pilot Farm in Sweetwater County, Wyo.;
H. R. 4934, without amendment, to authorize the Secretary of Agriculture to modify certain leases entered into for the provision of recreational facilities in reservoir areas; and
H. R. 9013, without amendment, to provide for the transfer of rice acreage history where a producer withdraws from the production of rice.
10. FARM BILL. Sen. Ellender announced that the Agriculture and Forestry Committee will begin hearings Feb. 19 on the farm bill. p. 1678
Sen. Miller criticized the proposed farm bill, charged that surpluses of feed grains "are being used today to scare farmers into so-called voluntary participation" in the farm program, and inserted several articles on the matter. pp. 1806-7
11. EDUCATION. Received from HEW a proposed bill "to assist in providing necessary instruction for adults unable to read and write English or with less than a sixth grade level of education, through grants to institutions of higher learning ... and through grants to States for pilot projects"; to Labor and Public Welfare Committee. p. 1668

Daily Digest

HIGHLIGHTS

Both Houses passed bill amending Welfare and Pension Plans Disclosure Act.

Senate

Chamber Action

Routine Proceedings, pages 1667-1684

Bills Introduced: 12 bills and 1 resolution were introduced, as follows: S. 2813-2824; and S. Res. 294.

Page 1669

Bills Reported: Reports were made as follows: H.R. 8625, 2990, 74, S. 1564, 1638, 1874, 1881, 2101, and 1841, private bills (S. Repts. 1195-1203).

Page 1669

Bills Referred: Three House-passed bills were referred to appropriate committees.

Page 1667

President's Communication—Satellites: Communication from President proposing legislation to establish a commercial communications satellite system was received—referred to Committee on Aeronautics and Space Sciences.

Page 1668

Steamship Conferences: S. 2524, to extend until March 31, 1962, authority for dual-rate contract agreements by steamship conferences, was indefinitely postponed due to the enactment of Public Law 87-346 on this matter.

Page 1667

Calendar Call: On call of calendar, 31 bills, of which 30 were private, were passed as follows:

Without amendment and cleared for President:

Guam: H.R. 6243, to permit Guam to enter interstate criminal law compacts; and

Nineteen private bills: H.R. 2147, 2973, 3710, 4194, 4211, 4280, 4381, 4876, 5181, 5324, 6013, 6120, 6226, 6644, 6938, 7473, 7740, 8325, and 8779.

Without amendment and cleared for House:

Eight private bills: S. 160, 1273, 1499, 1520, 1684, 1756, 2018, and 2155.

With amendment and cleared for House:

Three private bills: S. 1397, 1578, and 2165.

Pages 1684-1686

Printing: Three printing resolutions, as follows, were adopted:

S. Res. 245, to print additional copies of hearings entitled "Relationship Between Teamsters Union and Mine, Mill, and Smelter Workers";

S. Res. 248, to print additional copies of S. Doc. 59 of the 87th Congress on "The Communist Party Line"; and

S. Res. 289, to print as a Senate document 5,000 copies of compilation entitled "Senate Election, Expulsion, and Censure Cases From 1789 to 1960."

Pages 1728-1729, 1738

Gratuities: Nine resolutions providing for payment of gratuities to survivors of deceased Senate employees were adopted: S. Res. 277-285.

Pages 1730-1731

Committee Authorizations: The following 32 resolutions authorizing certain activities by Senate committees and providing funds therefor were adopted:

S. Res. 234, authorizing \$90,000 for Committee on Aeronautical and Space Sciences to investigate matters pertaining to aeronautical and space activities (after rejecting by 30 yeas to 35 nays, Curtis amendment respecting ratio of majority and minority employees on committee);

S. Res. 238, authorizing \$185,000 for Special Committee on Aging and extending to January 31, 1963, time for filing its final report;

S. Res. 242, authorizing \$100,000 for expenditures of Committee on Interior and Insular Affairs;

S. Res. 243, authorizing \$125,000 for expenses of the Committee on Public Works;

S. Res. 244, providing \$107,000 for Committee on Banking and Currency to investigate matters relating to public and private housing;

S. Res. 246, authorizing \$160,000 for continuation of foreign policy studies by Committee on Foreign Relations;

S. Res. 247, authorizing \$5,000 for expenses by Committee on Foreign Relations for the reception of foreign dignitaries;

S. Res. 249, providing \$125,000 as additional funds for Committee on Small Business;

S. Res. 250, authorizing \$400,000 for Committee on Government Operations for expenses of its Permanent Subcommittee on Investigations;

S. Res. 252, authorizing Committee on Labor and Public Welfare to employ staff personnel;

S. Res. 256, providing \$115,000 for Committee on the Judiciary to study administrative practice and procedure;

S. Res. 257, providing \$26,000 for Committee on the Judiciary to make a study of revision and codification of statutes of U.S.;

S. Res. 258, providing \$450,000 for Committee on the Judiciary to investigate antitrust and monopoly laws;

S. Res. 259, providing \$48,500 for Committee on the Judiciary to study matters pertaining to constitutional amendments;

S. Res. 260, providing \$140,000 for Committee on the Judiciary to investigate matters pertaining to constitutional rights;

S. Res. 261, providing \$7,500 for Committee on the Judiciary to consider all matters pertaining to Government charters, holidays, and celebrations;

S. Res. 262, providing \$90,000 for Committee on the Judiciary to study and examine the Federal judicial system;

S. Res. 263, providing \$125,000 for Committee on the Judiciary to study matters pertaining to immigration and naturalization;

S. Res. 264, providing \$325,000 for Committee on the Judiciary to investigate administration, operation, and enforcement of the Internal Security Act;

S. Res. 265, providing \$178,000 for Committee on the Judiciary for investigation of juvenile delinquency;

S. Res. 266, providing \$5,000 for Committee on the Judiciary to investigate national penitentiaries;

S. Res. 267, providing \$120,000 for Committee on the Judiciary to examine and review the administration of the Patent Office;

S. Res. 270, providing \$220,000 for Committee on Armed Services to investigate matters pertaining to the national defense;

S. Res. 233, authorizing \$80,000 for Committee on Banking and Currency for investigation of matters within its jurisdiction (amended);

S. Res. 269, authorizing \$25,000 for Committee on Interior and Insular Affairs for national fuels policy study (amended);

S. Res. 286, authorizing \$150,000 for Committee on Rules and Administration to make a study of matters within its jurisdiction concerning privileges and elections;

S. Res. 235, authorizing Committee on Post Office and Civil Service to employ an additional clerical assistant;

S. Res. 236, authorizing Committee on Post Office and Civil Service to investigate the postal service and civil service systems (\$75,000);

S. Res. 251, authorizing Committee on Commerce to investigate certain matters within its jurisdiction (\$315,000) (amended);

S. Res. 273, authorizing additional funds for Subcommittee on Migratory Labor of the Committee on Labor and Public Welfare (\$50,000);

S. Res. 268, authorizing \$45,000 for expenditure by the Subcommittee on Trading With the Enemy of the Committee on the Judiciary (amended); and

S. Res. 276, to provide funds for Subcommittee on Reorganization and International Organizations of the Committee on Government Operations (\$90,000) (amended).

Pages 1686, 1693-1746

Pension Plans Disclosure: S. 2520, to amend the Welfare and Pension Plans Disclosure Act with regard to method of enforcement, was passed with amendments after taking the following actions on amendments:

Adopted: McNamara amendments of a technical, clarifying nature; and Allott amendment making available to the public annual reports filed under the bill; and

Rejected: By 25 yeas to 57 nays, Tower amendment providing that exemption of plans of fraternal benefit societies shall exclude plans covering not more than 100 participants and eliminating provision that would allow Secretary of Labor to require publication of annual reports of plans covering less than 100 participants; and by 25 yeas to 57 nays, Tower amendment placing the administration of the provisions of the bill under Securities and Exchange Commission rather than Secretary of Labor.

Pages 1719, 1746-1784

Legislative Program: Majority leader announced that on Thursday, February 8, Senate will hold a routine session without votes, with the possibility of a non-controversial conference report being considered; Senate will go over from February 8 to February 12, from February 12 to February 15, and from February 15 to February 19; that no votes will be taken February 12 or 15; and that on Monday, February 19, the President's proposal to organize a Department of Urban Affairs will be taken up.

Page 1789

Senate Meeting Days: Order was entered that Senate will adjourn from Thursday, February 8, to Monday, February 12.

Page 1792

Confirmations: Senate confirmed nomination of James J. Saxon, of Illinois, to Comptroller of the Currency, and eight judicial nominations.

Page 1832

Nominations: Numerous Air Force nominations were received.

Pages 1821-1832

Record Votes: Three record votes were taken today.

Pages 1697-1698, 1750, 1759

Program for Thursday: Senate met at 11 a.m. and adjourned at 6:17 p.m. until noon Thursday, February 8, when its unfinished business will be H.R. 5143, D.C. capital punishment.

Pages 1784, 1821

Committee Meetings

(Committees not listed did not meet)

COMMITTEE BUSINESS

Committee on Agriculture and Forestry: Committee, in executive session, ordered favorably reported ~~without amendment S. 875, conveying to the State of Wyoming for agricultural purposes certain land in Sweet~~

~~water County, Wyo.; H.R. 4934, authorizing modification of certain leases entered into for the provision of recreation facilities in reservoir areas; H.R. 1375, a private bill; H.R. 9013, providing for the transfer of rice acreage history where producer withdraws from the production of rice; H.R. 8842, to correct an error in the Agricultural Act of 1961 relative to withdrawal of wheat stored to avoid penalty; and with amendment S. 2533, proposing several amendments to the Soil Conservation and Domestic Allotment Act.~~

Also committee announced that it will begin hearings on February 19 on S. 2786, Food and Agriculture Act of 1962.

MILITARY CENSORSHIP

Committee on Armed Services: The Special Preparedness Subcommittee continued, in executive session, to consider the question of compelling Defense Department witnesses to divulge the identities of persons censoring specific speeches in connection with its current series of hearings on military cold war education activities and censorship of military speeches.

Subcommittee will resume its open hearings tomorrow.

TRANSPORTATION

Committee on Commerce: Surface Transportation Subcommittee held hearings on a revised version of S. 2560, to strengthen and improve the national transportation system, and on S. 2764, making civil forfeiture provisions of section 222(h) of the Interstate Commerce Act applicable to unlawful operations of motor carriers. Witnesses heard were Edwin C. Johnson, former Senator of Colorado; James F. Pinkney, American Trucking Associations, Inc.; Matt Triggs, American Farm Bureau Federation; and Harry J. Breithaupt, Association of American Railroads.

Hearings continue tomorrow.

U.N. BONDS

Committee on Foreign Relations: Committee continued its hearings on S. 2768, authorizing purchase of U.N. bonds and the appropriation of funds therefor, having as its witness Ambassador Adlai E. Stevenson, U.S. Representative to the United Nations.

Hearings continue on Friday, February 9.

PUBLIC LANDS

Committee on Interior and Insular Affairs: Subcommittee on Public Lands held hearings on the following bills:

S. 2521, conveying certain lands in Shiloh National Military Park, Tenn., with testimony from Conrad L.

Wirth, Director, and Frank E. Harrison, both of the National Park Service;

S.J. Res. 60, establishing the Sesquicentennial Commission for the Celebration of the Battle of New Orleans, with testimony from Senator Long of Louisiana, and Messrs. Wirth and Harrison; and

S.J. Res. 124, establishing the Theodore Roosevelt Birthplace and Sagamore Hill National Historic Sites, New York, with testimony from Senators Keating and Javits, and Messrs. Wirth and Harrison.

COMMITTEE BUSINESS

Committee on the Judiciary: Committee, in executive session, ordered favorably reported the nominations of Charles G. Neese, to be U.S. district judge for the eastern district of Tennessee; Frank Gray, Jr., to be U.S. district judge for the middle district of Tennessee; L. Richardson Preyer, to be U.S. district judge for the middle district of North Carolina; Frederick A. Daugherty, to be U.S. district judge for the northern, eastern, and western districts of Oklahoma; Almeric L. Christian, to be U.S. attorney for the Virgin Islands; Daniel T. Donovan, to be U.S. marshal for the eastern district of Washington; J. Robert Elliott, to be U.S. district judge for the middle district of Georgia; and Harrison L. Winter, to be U.S. district judge for the district of Maryland; six private immigration bills (S. 1564, 1638, 1841, 1874, 1881, and 2101); and three private claim bills (H.R. 74, 2990, and 8625).

Committee indefinitely postponed further action on 20 private immigration bills (S. 236, 496, 837, 1022, 1141, 1448, 1463, 1465, 1480, 1700, 1929, 1962, 1967, 1971, 1997, 2040, 2041, 2075, 2137, and 2449).

NOMINATIONS

Committee on the Judiciary: Subcommittee held hearings on the nominations of Harrison L. Winter, to be U.S. district judge for the district of Maryland, with testimony from Senators Beall and Butler, and on the nomination of J. Robert Elliott, to be U.S. district judge for the middle district of Georgia, with testimony from Senator Talmadge. The nominees were present.

These nominations were subsequently approved by the committee.

DRUG INDUSTRY

Committee on the Judiciary: The Antitrust and Monopoly Subcommittee concluded its hearings on provisions of S. 1552, Drug Industry Antitrust Act, relating to advertising and promotion, after receiving further testimony from John Weilburg, Medical and Pharmaceutical Information Bureau, New York City.

House of Representatives

Chamber Action

Bills Introduced: 34 public bills, H.R. 10113-10146; 15 private bills, H.R. 10147-10161; and 15 resolutions, H.J. Res. 624 and 625, and H. Con. Res. 411-417, and H. Res. 540-542, were introduced. Pages 1875-1877

Bills Reported: One report was filed as follows: Disposition of executive papers (H. Rept. 1327). Page 1875

Lincoln Boyhood Memorial: By a voice vote the House adopted the conference report on H.R. 2470, providing for the establishment of the Lincoln Boyhood National Memorial in the State of Indiana, and thus cleared the legislation for Presidential action. Page 1833

Welfare and Pension Plans Disclosure: By a division vote of 191 yeas to 85 nays the House passed H.R. 8723, to amend the Welfare and Pension Plans Disclosure Act with respect to the method of enforcement and to provide certain additional sanctions. A motion to recommit the bill had been rejected earlier by a division vote of 80 yeas to 174 nays.

In addition to clarifying and perfecting amendments the House adopted amendments to—

Allow the Secretary of Labor to accept abbreviated reports, to clarify his investigative powers, and to require him to report any criminal information developed by investigations to the Attorney General; and

Bar union membership to certain Government employees where a conflict of interest could develop due to such membership.

Rejected amendments that sought to—

Delete provisions for tax-exempt pension plans; and

Exempt some employers from the bonding requirements in certain instances. Pages 1833-1850

Legislative Program: The majority leader announced that the passage of the Welfare and Pension Plans Disclosure Act amendments bill concluded the legislative program for the week and that only unanimous-consent requests would be considered on Thursday. Page 1850

Debt-Limit Increase: The Committee on Ways and Means was granted permission to file by midnight Thursday, February 15, a report on H.R. 10050, to provide for a further temporary increase in the public debt limit set forth in the Second Liberty Bond Act. Page 1859

Quorum Calls: During the proceedings of the House today three quorum calls developed and they appear on pages 1833, 1845, 1850.

Program for Thursday: Adjourned at 4:13 p.m. until Thursday, February 8, at 12 o'clock noon.

Committee Meetings

GENERAL FARM BILL

Committee on Agriculture: Heard testimony from Orville L. Freeman, Secretary of Agriculture, on H.R. 10010, to improve and protect farm income, to reduce costs of farm programs to the Federal Government, to reduce the Federal Government's excessive stocks of agricultural commodities, to maintain reasonable and stable prices of agricultural commodities and products to consumers, to provide adequate supplies of agricultural commodities for domestic and foreign needs, and to conserve natural resources.

EQUAL EMPLOYMENT

Committee on Education and Labor: Met in executive session on Federal equal employment opportunity legislation. No announcements were made.

AFRICA

Committee on Foreign Affairs: Subcommittee on Africa met in executive session to hear a briefing regarding Africa from Edward R. Murrow, Director, U.S. Information Agency, and other members of his staff.

DEPARTMENT OF URBAN AFFAIRS—HOUSING

Committee on Government Operations: Heard testimony from public witnesses on Reorganization Plan No. 1 of 1962, to create a Department of Urban Affairs and Housing. Hearings continue Thursday, February 8.

BURNS CREEK—INDIAN AFFAIRS

Committee on Interior and Insular Affairs: Ordered reported favorably to the House the following bills:

S. 201, to donate to the Zuni Tribe approximately 610 acres of federally owned land;

S. 1299, to amend the act of June 4, 1953; and

H.R. 3444, to approve an order of the Secretary of the Interior adjusting, deferring, and canceling certain irrigation charges against non-Indian-owned lands under the Wind River Indian irrigation project, Wyoming.

The committee defeated a motion to order reported H.R. 378, relating to the Burns Creek site in the upper Snake River Valley, Idaho.

NATIONAL ACCIDENT PREVENTION CENTER

Committee on Interstate and Foreign Commerce: Subcommittee on Health and Safety heard testimony from public witnesses on H.R. 133, to establish a National Accident Prevention Center. Hearings continue Thursday, February 8.

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued February 9, 1962
For actions of February 8, 1962
87th-2d, No. 20

CONTENTS

Adjournment.....	8,16	Fur imports.....	27	Reclamation.....	34
Area redevelopment.....	28	Government service.....	20	Recreation.....	24
Banking.....	29	Grain research.....	23	Research.....	2,9,23
Budget.....	2	Guam.....	12	Reservoir areas.....	1
Conservation reserve.....	31	Honeybees.....	9	Retirement.....	33
Cropland retirement.....	30	Housing.....	7,10,17	Rice.....	1
Education.....	14,18,26	Legislative program.....	15	Soil conservation.....	1
Farm program.....	25,30	Loans.....	28,29	Stockpiling.....	3
Feed grains.....	1	Manpower.....	11	Sugar.....	13
Fish flour.....	5	Minerals.....	22,32	Territories.....	12
Foreign aid.....	19	Patents.....	6	Urban affairs.....	7,10,17
Foreign trade.....	4,21,27	Personnel.....	33	Watersheds.....	2
Forestry.....	2	Public facility loans.....	28	Wheat.....	1

HIGHLIGHTS: Senate committee reported bills to permit summer fallow lands to participate in feed grains program, and to permit producers to withdraw wheat from stored excess supplies. Reps. Langen and May urged early consideration of sugar legislation.

SENATE

1. THE AGRICULTURE AND FORESTRY COMMITTEE reported the following bills: p. 1893
H. R. 8842, without amendment, to amend the Agricultural Act of 1961 so as to permit a wheat producer to withdraw from his stored excess the amount of wheat by which he fails to make his normal production on the reduced acreage allotment, less the acres voluntarily retired below the allotment (S. Rept. 1209);
S. 2533, with amendments, to amend the Soil Conservation and Domestic Allotment Act so as to permit farmers in summer-fallow areas to participate in the feed grains program (S. Rept. 1208);
S. 875, without amendment, to authorize the Secretary of Agriculture to convey to Wyoming for agricultural purposes the SCS Farson Pilot Farm in Sweetwater County, Wyo. (S. Rept. 1206);
H. R. 4934, without amendment, to authorize the Secretary of Agriculture to modify certain leases entered into for the provision of recreational facilities in reservoir areas (S. Rept. 1205); and
H. R. 9013, without amendment, to provide for the transfer of rice acreage history where a producer withdraws from the production of rice (S. Rept. 1207).

2. WATERSHEDS; BUDGET. Sen. Byrd, W. Va., expressed disappointment that the 1963 budget did not include estimates for the construction of a watershed and forest management research laboratory and other facilities at Parsons, W. Va., and stated that he would "attempt again to amend the bill when it is again before the Senate Appropriations Committee this year to include moneys for this very worthy purpose." pp. 1922-3
3. STOCKPILING. Sen. Symington reported an original resolution, S. Res. 295, from the Armed Services Committee to authorize expenditures for an investigation of the stockpiling of strategic and critical materials. pp. 1893-4
4. FOREIGN TRADE. Sen. Bush inserted an article on foreign trade, "Trade Bloc Cites U. S. Tariff Laws -- Common Market Warns on 'Peril Point' Clause." pp. 1902-3
Sen. Keating inserted an editorial supporting his proposal that Congress be given the power to veto trade agreements and modifications of trade agreements negotiated by the executive branch. p. 1915
5. FISH FLOUR. Sen. Gruening inserted his letter to the Secretary of HEW protesting the Food and Drug Administration standards on the use of fish protein in foods. pp. 1915-6
6. PATENTS. Sen. Hruska inserted the testimony of Dr. Vannevar Bush before the Subcommittee on Antitrust and Monopoly of the S. Judiciary Committee "warning against the results of piecemeal tinkering with the patent system." pp. 1916-7
7. HOUSING. Sen. Muskie inserted two documents he had prepared relative to the proposal to establish a Department of Urban Affairs and Housing "which provide an objective analysis of the plan, its intent, and its implications." pp. 1957-60
8. ADJOURNED until Mon., Feb. 12. p. 1963

HOUSE

9. HONEYBEES. The Subcommittee on Research and Extension of the Agriculture Committee voted to report to the full committee H. R. 8050, to prohibit the importation of all honeybees of the genus *Apis* in the adult stage except for research by the USDA or as the Secretary shall determine. p. D80
10. HOUSING. The "Daily Digest" states: "Committee on Government Operations: After concluding hearings on Reorganization Plan No. 1 of 1962, to create a Department of Urban Affairs and Housing, the committee favorably approved the plan." p. D81
11. MANPOWER. The Rules Committee granted an open rule with 3 hours debate on H. R. 8399, the Manpower Training and Development Act of 1962. p. D81
12. TERRITORIES. The Subcommittee on Territorial and Insular Affairs of the Interior and Insular Affairs Committee voted to report to the full committee H. R. 10063, to provide for appointment of acting secretaries for Guam and Virgin Islands under certain conditions. p. D81
13. SUGAR. Rep. Langen discussed sugar legislation, saying, "It is inconceivable to me that the Congress should be expected to talk about either farm problems or reciprocal trade policies without prior agreement on long-term sugar legislation." p. 1888

SUMMER FALLOW FARMS—1962 FEED GRAIN PROGRAM ELIGIBILITY

FEBRUARY 8, 1962.—Ordered to be printed

Mr. ELLENDER, from the Committee on Agriculture and Forestry,
submitted the following

R E P O R T

[To accompany S. 2533]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 2533), to amend subsection (d) of section 16 of the Soil Conservation and Domestic Allotment Act, as amended, having considered the same, report thereon with a recommendation that it do pass with amendments.

The bill, with the committee amendment, would preserve the eligibility of a producer on a summer fallow farm for—

(1) 1962 crop price support on corn, grain sorghum, and barley;

and

(2) participation in the 1962 corn and grain sorghum diversion program

even though the farm's 1962 barley acreage exceeds its 1959–60 average barley acreage, if—

(i) such excess does not exceed the acreage summer fallowed in 1961 and diverted from the production of wheat under the 1962 wheat diversion program, and

(ii) the farm's total 1962 acreage of corn, grain sorghums, and barley does not exceed 80 percent of its 1959–60 average of those three grains.

The Agricultural Act of 1961, providing for the diversion of land from wheat in 1962, was enacted after farmers had already summer fallowed their land for 1962 wheat production. In order to keep the soil from blowing during the winter many farmers planted barley on the acreage which had been summer fallowed for wheat and which was diverted from wheat. This bill is designed to permit such farmers, without plowing up their barley, to receive barley, corn, and grain sorghum price support and to participate in the corn and grain sorghum

diversion program. In order to do so they would have to reduce their corn and grain sorghum acreage to the extent necessary to bring their acreage of corn, grain sorghum, and barley down to not more than 80 percent of the 1959-60 average acreage of those three crops.

Diversion payments could not be made under the corn and grain sorghum diversion program for an acreage in excess of the net reduction in corn, grain sorghum, and barley acreage on the farm. Any increase in barley acreage would be deducted from the farm reduction in corn and grain sorghum acreage to determine the extent of the farm's participation in the corn and grain sorghum program. For instance, assume a farm with a barley base of 70 acres, a corn and sorghum base of 100 acres, and a wheat diversion of 20 acres. If the farm planted 90 acres of barley, it would have to reduce its corn and sorghum acreage to 46 acres to qualify for barley, corn, and sorghum price support (90 barley + 46 corn and sorghum = 136 acres, or 80 percent of 170 acres). Although the farm reduced its corn and sorghum acreage by 54 acres, only 34 acres of this reduction (after deducting the added 20 acres of barley) would count toward participation and payments under the corn and sorghum program.

DEPARTMENTAL VIEWS

Attached are two reports from the Department of Agriculture favoring enactment of the bill, as amended by the committee amendment.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., September 19, 1961.

HON. ALLEN J. ELLENDER,
*Chairman, Committee on Agriculture and Forestry,
U.S. Senate.*

DEAR SENATOR ELLENDER: This is in reply to your request of September 13, 1961, for a report on S. 2533, a bill to amend subsection (d) of section 16 of the Soil Conservation and Domestic Allotment Act, as amended.

The purpose of S. 2533 is to permit producers on farms on which summer fallow is a normal practice to plant barley on land devoted to summer fallow in 1961 which is diverted from wheat production under the special 1962 wheat program, provided an overall reduction of at least 20 percent is made in the 1962 acreage of corn, grain sorghums, and barley.

The Department recognizes the problem of winter wind erosion on fallow land and would favor the enactment of S. 2533 if it were amended in accordance with the attached draft bill. Under the provisions of the draft bill, a producer on a summer-fallow farm would be eligible for price support on barley and on corn and grain sorghums even though the 1962 acreage of barley on the farm exceeded the average acreage devoted to barley on the farm in 1959 and 1960 as a result of planting barley on land devoted to summer fallow in 1961 which is diverted from the production of wheat under the special 1962 wheat program, provided that an overall reduction of at least 20 percent is made in the 1962 acreage of corn, grain sorghums, and barley. The producer on such farm would also be eligible for payment under the 1962 feed grain program based on 50 percent of the normal production of the acreage so diverted from corn and grain sorghums.

Producers in the summer fallow area of the Midwest want and need this kind of flexibility in the feed grain program since wind erosion during the coming winter months on the land diverted from wheat after the seed bed has been prepared would become a serious problem. The Department is convinced that this legislation is a must if any appreciable amount of participation in the 1962 feed grain program is to be obtained in this area. Moreover, failure to obtain this legislation during the current session of the Congress will result in only minimum participation under the special 1962 wheat program.

In view of the time element involved for Senate consideration of S. 2533, we have not obtained advice of the Bureau of the Budget regarding this report.

Sincerely yours,

CHARLES S. MURPHY,
Under Secretary.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., February 7, 1962.

HON. ALLEN J. ELLENDER,
*Chairman, Committee on Agriculture and Forestry,
U.S. Senate.*

DEAR SENATOR ELLENDER: This is in reply to a telephone request from Mr. Harker Stanton of your committee staff for the Department's present views on the enactment of S. 2533, a bill to amend subsection (d) of section 16 of the Soil Conservation and Domestic Allotment Act, as amended.

Although the signup under the 1962 feed grain program is now in progress, the Department still favors the enactment of S. 2533 if amended in accordance with the draft bill submitted with our letter of September 19, 1961, and congressional action on the bill can be completed before the end of the signup period which is March 30, 1962.

In discussing the provisions of the Department's proposed bill with Mr. Stanton, we have agreed on a clarifying amendment to the bill which will make it more understandable with respect to its application in determining the overall reduction in corn, grain sorghum, and barley acres and diversion payments on summer fallow farms. The amendment to the proposed bill would be made by changing the period at the end of section 2 to a comma and adding the following: "and by inserting after the second sentence a new sentence to read as follows: 'The excess, if any, of the acreage devoted to barley in 1962 on a summer fallow farm as described in section 105(c)(4) of the Agricultural Act of 1949 over the average acreage devoted to barley on such farm in 1959 and 1960 shall be considered as planted to corn and grain sorghums for the purpose of determining the extent of participation and payments under the special agricultural conservation program for 1962 for corn and grain sorghums.'"

Attached is a revised draft of the Department's proposed bill which contains the amendment outlined above.

Sincerely yours,

ORVILLE L. FREEMAN, *Secretary.*

A BILL

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 105(c)(4) of the Agricultural Act of 1959 is amended by changing the parenthetical statement in the first sentence to read as follows:

“(except in the case of a producer of malting barley as hereinafter described and except in the case of a producer of barley on a summer-fallow farm as hereinafter described)”,

and by changing the period at the end of such section to a colon and adding the following:

“Provided further, That no producer of barley on a farm where summer fallow is the normal practice shall be required to participate in the special agricultural conservation program for 1962 for barley if he (i) does not knowingly devote an acreage on the farm to barley in excess of the average acreage devoted on the farm to barley in 1959 and 1960 plus the acreage devoted to summer fallow in 1961 which is diverted from the production of wheat under the special 1962 wheat program, and (ii) does not knowingly devote an acreage on the farm to corn, grain sorghums, and barley in excess of 80 per centum of the average acreage devoted on the farm to corn, grain sorghums, and barley in 1959 and 1960.”

SEC. 2. Section 16(d)(1) of the Soil Conservation and Domestic Allotment Act is amended by changing the parenthetical statement in the second sentence to read as follows:

“(other than a producer of malting barley as described in section 105(c)(4) of the Agricultural Act of 1949, or a producer of barley on a summer-fallow farm as described in such section)”,

and by inserting after the second sentence of such section a new sentence to read as follows:

“The excess, if any, of the acreage devoted to barley in 1962 on a summer fallow farm as described in section 105(c)(4) of the Agricultural Act of 1959 over the average acreage devoted to barley on such farm in 1959 and 1960 shall be considered as planted to corn and grain sorghums for the purpose of determining the extent of participation and payments under the special agricultural conservation program for 1962 for corn and grain sorghums.”

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

AGRICULTURAL ACT OF 1949

SEC. 105. * * *

(c) * * *

(4) The Secretary shall require as a condition of eligibility for price support on the 1962 crop of corn and grain sorghums that the producer shall participate in the special agricultural conservation program for 1962 for corn and grain sorghums to the extent prescribed by the Secretary and (except in the case of a producer of malting barley as hereinafter described *and except in the case of a producer of barley on a summer-fallow farm as hereinafter described*), shall not knowingly devote an acreage on the farm to barley in excess of the average acreage devoted on the farm to barley in 1959 and 1960. The Secretary shall require as a condition of eligibility for price support on the 1962 crop of barley that the producer shall participate in the special agricultural conservation program for 1962 for barley to the extent prescribed by the Secretary and shall not knowingly devote an acreage on the farm to corn and grain sorghums in excess of the average acreage devoted on the farm to corn and grain sorghums in 1959 and 1960: *Provided*, That no producer of malting barley shall be required to participate in the special agricultural conservation program for 1962 for barley if such producer has previously produced a malting variety of barley, plants barley only of an acceptable malting variety for harvest in 1962, does not knowingly devote an acreage on the farm to barley in excess of 110 per centum of the average acreage devoted on the farm to barley in 1959 and 1960, and does not knowingly devote an acreage on the farm to corn and grain sorghums in excess of the average acreage devoted on the farm to corn and grain sorghums in 1959 and 1960: *Provided further*, That no producer of barley on a farm where summer fallow is the normal practice shall be required to participate in the special agricultural conservation program for 1962 for barley if he (i) does not knowingly devote an acreage on the farm to barley in excess of the average acreage devoted on the farm to barley in 1959 and 1960 plus the acreage devoted to summer fallow in 1961 which is diverted from the production of wheat under the special 1962 wheat program, and (ii) does not knowingly devote an acreage on the farm to corn, grain sorghums, and barley in excess of 80 per centum of the average acreage devoted on the farm to corn, grain sorghums, and barley in 1959 and 1960.

SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT, AS AMENDED

* * * * *

LIMITATION ON OBLIGATIONS INCURRED

SEC. 16. (a) The obligations incurred for the purpose of carrying out for any calendar year, the provisions of sections 7 to 14, inclusive, of this Act shall not exceed \$500,000,000.

GREAT PLAINS CONSERVATION PROGRAM

(b) Notwithstanding any other provision of law—

(1) the Secretary is authorized, within the amounts of such appropriations as may be provided therefor, to enter into contracts of not to exceed ten years with producers in the Great Plains area determined by him to have control for the contract

period of the farms or ranches covered thereby. Such contracts shall be designed to assist farm and ranch operators to make, in orderly progression over a period of years, changes in their cropping systems and land uses which are needed to conserve the soil and water resources of their farms and ranches and to install the soil and water conservation measures needed under such changed systems and uses. Such contracts shall be in effect during the period ending not later than December 31, 1971, on farms and ranches in counties in the Great Plains area of the States of Colorado, Kansas, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, and Wyoming, designated by the Secretary as susceptible to serious wind erosion by reason of their soil types, terrain, and climatic and other factors. The producer shall furnish to the Secretary a plan of farming operations which incorporates such soil and water conservation practices and principles as may be determined by him to be practicable for maximum mitigation of climatic hazards of the area in which the farm is located, and which outlines a schedule of proposed changes in cropping systems and land use and of the conservation measures which are to be carried out on the farm or ranch during the contract period to protect the farm or ranch from erosion and deterioration by natural causes. Under the contract the producer shall agree—

(i) to effectuate the plan for his farm or ranch substantially in accordance with the schedule outlined therein unless any requirement thereof is waived or modified by the Secretary pursuant to paragraph (3) of this subsection;

(ii) to forfeit all rights to further payments or grants under the contract and refund to the United States all payments or grants received thereunder upon his violation of the contract at any stage during the time he has control of the farm if the Secretary determines that such violation is of such a nature as to warrant termination of the contract, or to make refunds or accept such payment adjustments as the Secretary may deem appropriate if he determines that the producer's violation does not warrant termination of the contract;

(iii) upon transfer of his right and interest in the farm or ranch during the contract period to forfeit all rights to further payments or grants under the contract and refund to the United States all payments or grants received thereunder unless the transferee of the farm or ranch agrees with the Secretary to assume all obligations of the contract;

(iv) not to adopt any practice specified by the Secretary in the contract as a practice which would tend to defeat the purposes of the contract;

(v) to such additional provisions as the Secretary determines are desirable and includes in the contract to effectuate the purpose of the program or to facilitate the practical administration of the program.

In return for such agreement by the producer the Secretary shall agree to share the cost of carrying out those conservation practices set forth in the contract for which he determines that

cost-sharing is appropriate and in the public interest. The portion of such cost (including labor) to be shared shall be that part which the Secretary determines is necessary and appropriate to effectuate the physical installation of the conservation measures under the contract;

(2) the Secretary may terminate any contract with a producer by mutual agreement with the producer if the Secretary determines that such termination would be in the public interest, and may agree to such modification of contracts previously entered into as he may determine to be desirable to carry out the purposes of the program or facilitate the practical administration thereof;

(3) insofar as the acreage of cropland on any farm enters into the determination of acreage allotments and marketing quotas under the Agricultural Adjustment Act of 1938, as amended, the cropland acreage on the farm shall not be decreased during the period of any contract heretofore or hereafter entered into under this subsection by reason of any action taken for the purpose of carrying out such contract and, under regulations of the Secretary, shall not be decreased, for such period after the expiration of the contract as is equal to the period of the contract, by reason of the maintenance of any change in land use from cultivated cropland to permanent vegetation carried out under the contract;

(4) the acreage on any farm which is determined under regulations of the Secretary to have been diverted from the production of any commodity subject to acreage allotments or marketing quotas in order to carry out any contract heretofore or hereafter entered into under the program or in order to maintain, for such period after the expiration of the contract as is equal to the period of the contract, any change in land use from cultivated cropland to permanent vegetation carried out under the contract shall be considered acreage devoted to the commodity for the purposes of establishing future State, county, and farm acreage allotments under the Agricultural Adjustment Act of 1938, as amended.

(5) in applying the provisions of paragraph (6) of Public Law 74, Seventy-seventh Congress (7 U.S.C. 1340(6)), relating to the reduction of storage amount of wheat, any acreage diverted from the production of wheat under the program carried out under this subsection shall be regarded as wheat acreage;

(5) the Secretary shall utilize the technical services of agencies of the Department of Agriculture in determining the scope and provisions of any plan and the acceptability of the plan for effectuating the purposes of the program. In addition the Secretary shall take into consideration programs of State and local agencies, including soil conservation districts, having for their purposes the objectives of maximum soil and water conservation;

(7) there is hereby authorized to be appropriated without fiscal year limitations, such sums as may be necessary to carry out this subsection: *Provided*, That the total cost of the program (excluding administrative costs) shall not exceed \$150,000,000, and for any program year payments shall not exceed \$25,000,000.

The funds made available for the program under this subsection may be expended without regard to the maximum payment limitation and small payment increases required under section 8(e) of this Act, and

may be distributed among States without regard to distribution of funds formulas of section 15 of this Act. The program authorized under this subsection shall be in addition to, and not in substitution of, other programs in such area authorized by this or any other Act.

(c) Notwithstanding any other provision of law—

(1) The Secretary shall formulate and carry out a special agricultural conservation program for 1961, without regard to provisions which would be applicable to the regular agricultural conservation program, under which, subject to such terms and conditions as the Secretary determines, conservation payments in amounts determined by the Secretary to be fair and reasonable shall be made to producers who divert acreage from the production of corn and grain sorghums to an approved conservation use and increase their average acreage devoted in 1959 and 1960 to designated soil conserving crops or practices by an equal amount: *Provided, however,* That any producer may elect in lieu of such payment to devote such diverted acreage to castor beans, safflower, sunflower, or sesame, if designated by the Secretary. Such special agricultural conservation program shall require the producer to take such measures as the Secretary may deem appropriate to keep such diverted acreage free from insects, weeds, and rodents. The acreage eligible for payments in cash or in an equivalent amount in kind under such conservation program shall be an acreage equivalent to 20 per centum of the average acreage on the farm planted to corn and grain sorghums in the crop years 1959 and 1960 or up to twenty acres, whichever is greater. Such payments in cash or in kind at the basic county support rate may be made on an amount of corn and grain sorghums not in excess of 50 per centum of the normal production of the acreage diverted from corn and grain sorghums on the farm based on its average yield per acre for the 1959 and 1960 crop acreage. Payments in kind only may be made by the Secretary for the diversion of up to an additional 20 per centum of such corn and grain sorghum acreage. Payments in kind on such additional acreage may be made at the basic county support rate on an amount of corn and grain sorghums not in excess of 60 per centum of the normal production of the acreage diverted from corn and grain sorghums on the farm based on its average yield per acre for the 1959 and 1960 crop acreage. The Secretary may make such adjustments in acreage and yields for the 1959 and 1960 crop years as he determines necessary to correct for abnormal factors affecting production, and to give due consideration to tillable acreage, crop rotation practices, type of soil, and topography. The Secretary may make not to exceed 50 per centum of any payments to producers in advance of determination of performance.

(2) There are hereby authorized to be appropriated such amounts as may be necessary to enable the Secretary to carry out this section 16(c). Obligations may be incurred in advance of appropriations therefor and the Commodity Credit Corporation is authorized to advance from its capital funds such sums as may be necessary to pay administrative expenses in connection with such program during the fiscal year ending June 30, 1961, and to pay such costs as may be included in carrying out section 3 of the Act which added this subsection to this Act.

- (3) The Secretary shall provide by regulations for the sharing of payments under this subsection among producers on the farm on a fair and equitable basis and in keeping with existing contracts.
- (d) Notwithstanding any other provision of law—

(1) The Secretary shall formulate and carry out a special agricultural conservation program for 1962, without regard to provisions which would be applicable to the regular agricultural conservation program, under which, subject to such terms and conditions as the Secretary determines, conservation payments in amounts determined by the Secretary to be fair and reasonable shall be made to producers who divert acreage from the production of corn and grain sorghums, and barley, respectively, to an approved conservation use and increase their average acreage of cropland devoted in 1959 and 1960 to designated soil conserving crops or practices including summer fallow and idle land by an equal amount: *Provided, however,* That any producer may elect in lieu of such payment to devote such diverted acreage to castor beans, guar, safflower, sunflower, or sesame, if designated by the Secretary. In order to be eligible for a payment, a producer (other than a producer of malting barley as described in section 105(c)(4) of the Agricultural Act of 1949, *or a producer of barley on a summer-fallow farm as described in such section*) who participates in the special agricultural conservation program of 1962 for corn and grain sorghums must not knowingly devote an acreage on the farm in excess of the average acreage devoted on the farm to barley in 1959 and 1960, and a producer who participates in the special agricultural conservation program for 1962 for barley must not knowingly devote an acreage on the farm to corn and grain sorghums in excess of the average acreage devoted on the farm to corn and grain sorghums in 1959 and 1960. *The excess, if any, of the acreage devoted to barley in 1962 on a summer-fallow farm as described in section 105(c)(4) of the Agricultural Act of 1949 over the average acreage devoted to barley on such farm in 1959 and 1960 shall be considered as planted to corn and grain sorghums for the purpose of determining extent of participation and payments under the special agricultural conservation program for 1962 for corn and grain sorghums.* Such special agricultural conservation program shall require the producer to take such measures as the Secretary may deem appropriate to keep such diverted acreage free from insects, weeds, and rodents. The acreage eligible for payments in cash or in an equivalent amount in kind under such conservation program shall be an acreage equivalent to 20 per centum of the average acreage on the farm planted to corn and grain sorghums, or barley, in the crop years 1959 and 1960 or up to twenty acres, whichever is greater. Such payments in cash or in kind at the basic county support rate for the 1961 crop in effect at the time payment rates for the special feed grain program for 1962 are established, adjusted to reflect any changes between the national support rates for the 1961 and 1962 crops may be made on an amount of the commodity not in excess of 50 per centum of the normal production of the acreage diverted from the commodity on the farm based on its adjusted average yield per acre for the 1959 and 1960 crop acreage. Payments in kind only may be made

by the Secretary for the diversion of up to an additional 20 per centum of the average acreage on the farm planted to corn and grain sorghums, or barley, in the crop years 1959 and 1960. Payments in kind on such additional acreage may be made at the basic county support rate for the 1961 crop in effect at the time payments rates for the special feed grain program for 1962 are established, adjusted to reflect any changes between the national support rates for the 1961 and 1962 crops on an amount of corn and grain sorghums, or barley, not in excess of 60 per centum of the normal production of the acreage diverted from the commodity on the farm based on its adjusted average yield per acre for the 1959 and 1960 crop acreage. The Secretary may make such adjustments in acreage and yields for the 1959 and 1960 crop years as he determines necessary to correct for abnormal factors affecting production and to give due consideration to tillable acreage, crop rotation practices, type of soil, soil and water conservation measures, and topography. To the extent that a producer proves that actual acreages and yields for the farm for the 1959 and 1960 crop years, such acreages and yields shall be used in making determinations. The Secretary may make not to exceed 50 per centum of any payments to producers in advance of determination of performance.

(2) There are hereby authorized to be appropriated such amounts as may be necessary to enable the Secretary to carry out this section 16(d). Obligations may be incurred in advance of appropriations therefor and the Commodity Credit Corporation is authorized to advance from its capital funds such sums as may be necessary to pay administrative expenses in connection with such program during the fiscal year ending June 30, 1962, and to pay such costs as may be incurred in carrying out section 133 of the Agricultural Act of 1961.

(3) The Secretary shall provide by regulations for the sharing of payments under this subsection among producers on the farm on a fair and equitable basis and in keeping with existing contracts.



Calendar No. 1187

87TH CONGRESS
2^D SESSION

S. 2533

[Report No. 1208]

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 12, 1961

Mr. CARLSON introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

FEBRUARY 8, 1962

Reported by Mr. ELLENDER, with amendments

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To amend subsection (d) of section 16 of the Soil Conservation and Domestic Allotment Act, as amended.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That subsection ~~(d)~~ of section 16 of the Soil Conservation
4 and Domestic Allotment Act, as amended, is further amended
5 by adding the following at the end of paragraph ~~(1)~~: “Not-
6 withstanding any other provision of law, a producer on a
7 farm where summer fallow is normal practice, shall be
8 deemed to have participated in the feed grain program for
9 corn, grain sorghum, and barley, if the sum of the acreages
10 of corn, grain sorghum, and barley, excluding malting barley,
11 on the farm in 1962 does not exceed 80 per centum of the

1 average acreage devoted on the farm to these three crops;
2 excluding malting barley, in the crop years 1959 and 1960.”
3 *That section 105(c)(4) of the Agricultural Act of 1949 is*
4 *amended by changing the parenthetical statement in the first*
5 *sentence to read as follows: “(except in the case of a pro-*
6 *ducer of malting barley as hereinafter described and except*
7 *in the case of a producer of barley on a summer-fallow farm*
8 *as hereinafter described)”, and by changing the period at the*
9 *end of such section to a colon and adding the following:*
10 *“Provided further, That no producer of barley on a farm*
11 *where summer fallow is the normal practice shall be required*
12 *to participate in the special agricultural conservation program*
13 *for 1962 for barley if he (i) does not knowingly devote an*
14 *acreage on the farm to barley in excess of the average acre-*
15 *age devoted on the farm to barley in 1959 and 1960 plus the*
16 *acreage devoted to summer fallow in 1961 which is diverted*
17 *from the production of wheat under the special 1962 wheat*
18 *program, and (ii) does not knowingly devote an acreage*
19 *on the farm to corn, grain sorghums, and barley in excess of*
20 *80 per centum of the average acreage devoted on the farm to*
21 *corn, grain sorghums, and barley in 1959 and 1960.”*

22 *SEC. 2. Section 16(d)(1) of the Soil Conservation and*
23 *Domestic Allotment Act is amended by changing the paren-*
24 *thetical statement in the second sentence to read as follows:*
25 *“(other than a producer of malting barley as described in*

1 *section 105(c)(4) of the Agricultural Act of 1949, or a pro-*
2 *ducer of barley on a summer-fallow farm as described in such*
3 *section)”, and by inserting after the second sentence a new*
4 *sentence reading as follows: “The excess, if any, of the*
5 *acreage devoted to barley in 1962 on a summer-fallow farm*
6 *as described in section 105(c)(4) of the Agricultural Act*
7 *of 1949 over the average acreage devoted to barley on such*
8 *farm in 1959 and 1960 shall be considered as planted to*
9 *corn and grain sorghums for the purpose of determining*
10 *extent of participation and payments under the special agri-*
11 *cultural conservation program for 1962 for corn and grain*
12 *sorghums.”*

Amend the title so as to read: “A bill to amend the requirements for participation in the 1962 feed grain program.”

[Report No. 1208]

A BILL

To amend subsection (d) of section 16 of the
Soil Conservation and Domestic Allotment
Act, as amended.

By Mr. CARLSON

SEPTEMBER 12, 1961

Read twice and referred to the Committee on
Agriculture and Forestry

FEBRUARY 8, 1962

Reported with amendments

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued February 21, 1962
For actions of February 20, 1962
87th-2d, No. 24

CONTENTS

Assistant Secretaries...36	House Membership.....16	Public debt.....14,25
Budget.....13	Housing.....7	Public works.....27
Cotton.....33	Information.....30	Recreation.....4
Electrification.....23	Irrigation.....18	Research.....10,21
Expenditures.....15,29	Lands.....6,11	Reservoir areas.....4
Feed grains.....2	Legislative program....20	Rice allotments.....5
Farm labor.....8	Libraries.....17	Soil conservation.....6
Farm program.....13,26,34	Minerals.....31	Sugar.....22
Foreign trade.....12	Pay.....1	Urban affairs.....7,28
Forestry.....4,10,21	Personnel.....1,19	Veterans' benefits.....35
		Water resources.....24
		Weather.....30
		Wheat.....3
		Youth Corps.....32

HIGHLIGHTS: Both Houses received pay reform bill. Senate passed bills to: Permit summer fallow lands to participate in feed grains program. Permit producers to withdraw wheat from stored excess supplies. Rep. Rains urged increase in ACP authorization. Rep. Short criticized farm bill.

SENATE

1. PERSONNEL; PAY. Both Houses received the President's Federal pay reform message (H. Doc. 344) (pp. 2326-8, 2360-2). The President proposed an overall average pay raise of 10 percent for classified employees, ranging from approximately 3.7 percent in the lower grades to 35 percent in the upper grades, to become effective over a three-year period beginning Jan. 1, 1963. He stated that the proposal would enlarge the differences in salaries between the entry rates of successive grade levels by not less than 10 percent, provide wider salary ranges within each grade, and "create new upper grades to bring within the salary provisions of the Classification Act all those with top administrative responsibilities who are not Cabinet or sub-Cabinet officers or heads of separate agencies. He stated that the proposal also provides that the President shall submit an annual report to Congress on the relationship of Federal salaries to those reported by the Bureau of Labor Statistics for private enterprise, recommending whatever adjustments in salary schedules, structure, and policy he finds advisable.

2. FEED GRAINS. Passed as reported S. 2533, to permit farmers in summer fallow areas to receive barley, corn, and grain sorghum price support and to participate in the corn and grain sorghum diversion program provided they reduce their corn and grain sorghum acreage to the extent necessary to bring their acreage of corn, grain sorghum, and barley down to not more than 80 percent of the 1959-60 average of those three crops. pp. 2357-8
3. WHEAT. Passed without amendment H. R. 8842, to amend the Agricultural Act of 1961 so as to permit a wheat producer to withdraw from his stored excess the amount of wheat by which he fails to make his normal production on the reduced acreage allotment, less the acres voluntarily retired below the allotment. This bill now be sent to the President. pp. 2358-9
4. RESERVOIR AREAS. Passed without amendment H. R. 4934, to authorize the adjustment by mutual agreement of rental rates under leases for commercial recreational facilities on Forest Service lands at Federal reservoir projects when in the public interest. This bill will now be sent to the President. p. 2357
5. RICE ALLOTMENTS. Passed without amendment H. R. 9013, to provide for the transfer of rice acreage history where a producer withdraws from the production of rice. This bill will now be sent to the President. p. 2357
6. SOIL CONSERVATION LAND. Passed over, at the request of Sen. Smathers, S. 875, to authorize the Secretary of Agriculture to convey to Wyoming for agricultural purposes the SCS Farson Pilot Farm in Sweetwater County, Wyo. p. 2357.
7. HOUSING. By a vote of 42 to 58, rejected a motion by Sen. Randolph that the Government Operations Committee be discharged from further consideration of S. Res. 288, opposing the President's Reorganization Plan No. 1 to provide for the establishment of a Department of Urban Affairs and Housing. pp. 2309-26, 2352-4
8. FARM LABOR. Sen. Pell urged enactment of legislation to provide Federal assistance to migratory farm workers and inserted an editorial supporting enactment of such legislation. p. 2351
9. DAIRY PROGRAM. Sen. Proxmire inserted his statement regarding his recent tour of Wisc. in which he states that "President Kennedy's new dairy proposal is in serious trouble," and lists a number of objections to the program. pp. 2337-8
10. FORESTRY. Sen. Proxmire urged additional funds for forestry research, particularly to expand the physical plant at the Forest Products Laboratory in Madison, Wisc., and inserted a letter from the Governor of Wisc. to Secretary Freeman urging his support for additional funds. pp. 2336-7
11. LANDS. Received from GSA a proposed bill "to amend section 3470 of the Revised Statutes to authorize the heads of departments and independent agencies to appoint agents to bid on behalf of the United States, at sales, on execution at the suit of the United States, of lands or tenements of a debtor"; to Government Operations Committee. p. 2329
12. FOREIGN TRADE. Sen. Javits discussed "the issues involved in my alternative approach to President Kennedy's goal of trade expansion," and inserted several articles on the subject. pp. 2342-7

CONVEYANCE OF CERTAIN REAL PROPERTY OF THE UNITED STATES

The bill (H.R. 1375) to provide for the conveyance of certain real property of the United States to the former owners thereof was considered, was ordered to a third reading, was read the third time, and passed.

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1204), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This bill provides for the reconveyance, without consideration, to the original donors, of 1.0027 acres¹ which was given to the United States for a lookout fireman station. The Forest Service has not used the property for the intended purpose, has placed no permanent improvements on it, and has no present or foreseeable need for it. The Department of Agriculture has no objection to the bill.

The report of the House Committee on Agriculture is attached.

[H. Rept. 880, 87th Cong., 1st sess.]

The Committee on Agriculture, to whom was referred the bill (H.R. 1375), to provide for the conveyance of certain real property of the United States to the former owner thereof, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

The purpose of H.R. 1375 is to return to its former owners approximately 1 acre of land which was donated to the United States in 1946 and has never been used for the purpose intended.

EXPLANATION

In 1946 Richard V. Evans and his wife donated to the United States a tract of land of approximately 1 acre in Elsinore, Riverside County, Calif., to be used by the Forest Service for construction and maintenance of a lookout fireman station. Since that time forest fire protection in the locality has been, and is now being, provided by the State under a cooperative agreement with the Forest Service and the land has never been used for the purpose for which it was donated. Neither the State nor the Forest Service has any present or foreseeable future need for the donated tract.

COST

Since the United States received this tract of land as a donation and has not placed thereon any permanent improvements, its return to the former owners will not result in any cost to the United States.

RECREATION FACILITIES IN RESERVOIR AREAS

The bill (H.R. 4934) to authorize the Secretary of Agriculture to modify certain leases entered into for the provision of recreation facilities in reservoir areas

was considered, was ordered to a third reading, was read the third time, and passed.

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1205), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This bill authorizes adjustment by mutual agreement of rental rates under leases for commercial recreational facilities on Forest Service lands at Federal reservoir projects when in the public interest. Most such leases already provide for such renegotiation, but some do not. Renegotiation may be necessary to provide for the development and maintenance of satisfactory public service facilities. During the first session of this Congress, S. 48 (Public Law 87-236) was passed providing similar renegotiation authority for the Corps of Engineers.

The report of the House Committee on Agriculture is attached.

HOUSE REPORT No. 1104, 87TH CONGRESS, 1ST SESSION

The Committee on Agriculture, to whom was referred the bill (H.R. 4934) to authorize the Secretary of Agriculture to modify certain leases entered into for the provision of recreation facilities in reservoir areas, having considered the same, report favorably thereon with amendments and recommend that the bill do pass.

The amendments are as follows:

Page 1, line 3, strike out "Chief of Forest Service, under the supervision of the".

Page 1, line 4, delete the comma after the word "Agriculture".

Page 1, line 5, strike out the words "before November 1, 1956," and insert "with respect to lands under the jurisdiction of the Forest Service".

Page 1, lines 7 and 8, strike out "water resource development project under the jurisdiction of the Secretary of Agriculture" and insert "Federal reservoir project".

Page 2, line 3, strike out "or extension".

PURPOSE

The purpose of this bill is to authorize the Secretary of Agriculture, when he deems such action to be in the public interest, to renegotiate the terms of leases entered into for the construction and operation of recreational facilities in recreation areas administered by the Forest Service.

NEED FOR THE LEGISLATION

Need for the legislation is described in detail in the letter from the Department of Agriculture which is appended hereto and made a part of this report. Briefly, the legislation is required to permit renegotiation of leases which were entered into, generally prior to 1956, and which do not contain a renegotiation clause. Most of the leases entered into since that time have contained such a provision. In the absence of this legislation, in order to renegotiate the terms of a lease not having the renegotiation clause, it would be necessary to open the whole lease up to rebidding and reissuance.

COST

There would be no additional cost to the Federal Government as the result of this legislation.

CONVEYANCE OF CERTAIN LANDS TO STATE OF WYOMING FOR AGRICULTURAL PURPOSES—BILL PASSED OVER

The bill (S. 875) to authorize and direct the Secretary of Agriculture to con-

vey to the State of Wyoming for agricultural purposes certain real property in Sweetwater County, Wyo., was announced as next in order.

Mr. SMATHERS. Mr. President, I ask that we pass over that bill and proceed to consider Calendar No. 1188, H.R. 9013.

The VICE PRESIDENT. Without objection, the bill will be passed over.

TRANSFER OF RICE ACREAGE

The bill (H.R. 9013) to provide for the transfer of rice acreage history where producer withdraws from the production of rice was considered, was ordered to a third reading, was read the third time, and passed.

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1207), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXPLANATION OF BILL

This bill makes express statutory provision for succession to rice acreage history in States and areas where rice acreage allotments are apportioned on the basis of producer acreage history. The Department of Agriculture has made provision in the past for such succession by regulation without clear legislative authority therefor; and the bill, with slight exceptions, follows the Department's regulations. The Department favors enactment. Rice allotments are currently based on producer history in California, Texas, Tennessee, North Carolina, Florida, and parts of Louisiana. Succession would be as follows:

(1) If the producer dies, his production history passes to his heirs or devisees continuing his farming operations.

(2) If the producer withdraws in whole or in part from rice production in favor of members of his family who succeed to his farming operations, the production history ascribed to such withdrawal may be transferred to such members.

(3) If the producer permanently withdraws from rice production, his history may be transferred to experienced rice producers acquiring his entire rice farming operation. The transfer in this case would be canceled if the transferee did not plant 90 percent of his total allotment for at least 3 of the 4 years following the transfer.

(4) Upon dissolution of a partnership, the partnership history will be divided among the partners as agreed by them; except that if the partnership was formed in an allotment year and dissolved in less than 3 crop years, the history would be divided in the same proportion as the partners had contributed to the first partnership allotment.

COST

There would be no additional cost to the Government resulting from this legislation.

AMENDMENT TO SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT

The Senate proceeded to consider the bill (S. 2533) to amend subsection (d) of section 16 of the Soil Conservation and Domestic Allotment Act, as amended, which had been reported from the Committee on Agriculture and Forestry with an amendment to strike out all after the enacting clause and insert:

¹ The Department's report and records in Washington show the acreage as 1.0027. The bill describes it as "one and twenty-seven thousandths acres, more or less." The Department advises that so far as it knows its records are correct, but the only way to be sure would be to check the deed. Since the area is described in the bill as "more or less" the difference is so small, and the tract is otherwise clearly identified, the committee did not consider it necessary to verify the area or amend the bill.

That section 105(c)(4) of the Agricultural Act of 1949 is amended by changing the parenthetical statement in the first sentence to read as follows: "(except in the case of a producer of malting barley as hereinafter described and except in the case of a producer of barley on a summer-fallow farm as hereinafter described)", and by changing the period at the end of such section to a colon and adding the following: "Provided further, That no producer of barley on a farm where summer fallow is the normal practice shall be required to participate in the special agricultural conservation program for 1962 for barley if he (i) does not knowingly devote an acreage on the farm to barley in excess of the average acreage devoted on the farm to barley in 1959 and 1960 plus the acreage devoted to summer fallow in 1961 which is diverted from the production of wheat under the special 1962 wheat program, and (ii) does not knowingly devote an acreage on the farm to corn, grain sorghums, and barley in excess of 80 per centum of the average acreage devoted on the farm to corn, grain sorghums, and barley in 1959 and 1960."

Sec. 2. Section 16(d)(1) of the Soil Conservation and Domestic Allotment Act is amended by changing the parenthetical statement in the second sentence to read as follows: "(other than a producer of malting barley as described in section 105(c)(4) of the Agricultural Act of 1949, or a producer of barley on a summer-fallow farm as described in such section)", and by inserting after the second sentence a new sentence reading as follows: "The excess, if any, of the acreage devoted to barley in 1962 on a summer-fallow farm as described in section 105(c)(4) of the Agricultural Act of 1949 over the average acreage devoted to barley on such farm in 1959 and 1960 shall be considered as planted to corn and grain sorghums for the purpose of determining extent of participation and payments under the special agricultural conservation program for 1962 for corn and grain sorghums."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read:

A bill to amend the requirements for participation in the 1962 feed grain program.

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1208), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The bill, with the committee amendment, would preserve the eligibility of a producer on a summer fallow farm for—

(1) 1962 crop price support on corn, grain sorghum, and barley; and

(2) participation in the 1962 corn and grain sorghum diversion program even though the farm's 1962 barley acreage exceeds in 1959-60 average barley acreage, if—

(i) such excess does not exceed the acreage summer fallowed in 1961 and diverted from the production of wheat under the 1962 wheat diversion program, and

(ii) the farm's total 1962 acreage of corn, grain sorghums, and barley does not exceed 80 percent of its 1959-60 average of those three grains.

The Agricultural Act of 1961, providing for the diversion of land from wheat in 1962, was enacted after farmers had already summer fallowed their land for 1962 wheat production. In order to keep the soil from blowing during the winter many farmers planted barley on the acreage which had been summer fallowed for wheat and which

was diverted from wheat. This bill is designed to permit such farmers, without plowing up their barley, to receive barley, corn, and grain sorghum price support and to participate in the corn and grain sorghum diversion program. In order to do so they would have to reduce their corn and grain sorghum acreage to the extent necessary to bring their acreage of corn, grain sorghum, and barley down to not more than 80 percent of the 1959-60 average acreage of those three crops.

Diversion payments could not be made under the corn and grain sorghum diversion program for an acreage in excess of the net reduction in corn, grain sorghum, and barley acreage on the farm. Any increase in barley acreage would be deducted from the farm reduction in corn and grain sorghum acreage to determine the extent of the farm's participation in the corn and grain sorghum program. For instance, assume a farm with a barley base of 70 acres, a corn and sorghum base of 100 acres, and a wheat diversion of 20 acres. If the farm planted 90 acres of barley, it would have to reduce its corn and sorghum acreage to 46 acres to qualify for barley, corn, and sorghum price support (90 barley plus 46 corn and sorghum equals 136 acres, or 80 percent of 170 acres). Although the farm reduced its corn and sorghum acreage by 54 acres, only 34 acres of this reduction (after deducting the added 20 acres of barley) would count toward participation and payments under the corn and sorghum program.

Mr. CARLSON. Mr. President, Senate 2533, which amends the Soil Conservation and Domestic Allotment Act, was introduced near the end of the 1st session of the 87th Congress.

The Department of Agriculture filed a favorable report on it at that time, but the legislative calendar was such that we did not get action on it.

The bill is drafted so as to permit farmers to plan barley on land taken out of wheat production and make barley interchangeable with other feed grains.

This proposed legislation applies particularly to areas in Kansas, eastern Colorado, Nebraska, and the northern counties of the Panhandle of Texas and the Oklahoma Panhandle, where summer fallow practices are used for the seeding of wheat.

Unless this summer fallow is covered, preferably by a growing crop, it will be threatened by severe wind erosion and the land severely damaged. Many wheat growers in this area, who were unable to use barley as a cover crop last fall, planted their entire allotment acreage to wheat.

The signup under the 1962 feed grain program is now in progress and the report from the Department of Agriculture, dated February 7, 1962, states that the Department still favors enactment of S. 2533 if congressional action on the bill can be completed before the end of the signup period.

This bill permits a farmer to plant winter crops to keep his land from blowing and then the next summer make a comparable reduction from his corn or grain sorghum acreage. There is no way whereby the total acreage when planted to feed can be increased. Any increase in barley will be exactly balanced by a like reduction in corn and grain sorghum.

Mr. President, I ask unanimous consent that the letter from the Secretary

of Agriculture, Mr. Freeman, to the Committee on Agriculture and Forestry, February 7, 1962, regarding S. 2533, may be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,
Washington, D.C., February 7, 1962.

HON. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry, U.S. Senate.

DEAR SENATOR ELLENDER: This is in reply to a telephone request from Mr. Harker Stanton of your committee staff for the Department's present views on the enactment of S. 2533, a bill to amend subsection (d) of section 16 of the Soil Conservation and Domestic Allotment Act, as amended.

Although the signup under the 1962 feed grain program is now in progress, the Department still favors the enactment of S. 2533 if amended in accordance with the draft bill submitted with our letter of September 19, 1961, and congressional action on the bill can be completed before the end of the signup period which is March 30, 1962.

In discussing the provisions of the Department's proposed bill with Mr. Stanton, we have agreed on a clarifying amendment to the bill which will make it more understandable with respect to its application in determining the overall reduction in corn, grain sorghum, and barley acres and diversion payments on summer fallow farms. The amendment to the proposed bill would be made by changing the period at the end of section 2 to a comma and adding the following: "and by inserting after the second sentence a new sentence to read as follows: 'The excess, if any, of the acreage devoted to barley in 1962 on a summer fallow farm as described in section 105(c)(4) of the Agricultural Act of 1949 over the average acreage devoted to barley on such farm in 1959 and 1960 shall be considered as planted to corn and grain sorghums for the purpose of determining the extent of participation and payments under the special agricultural conservation program for 1962 for corn and grain sorghums.'"

Attached is a revised draft of the Department's proposed bill which contains the amendment outlined above.

Sincerely yours,

ORVILLE L. FREEMAN,
Secretary.

AMENDMENT TO THE AGRICULTURAL ENABLING AMENDMENTS ACT OF 1961

The bill (H.R. 8842) to amend subsection (h) of section 124 of the Agricultural Enabling Amendments Act of 1961 was considered, was ordered to a third reading, was read the third time, and passed.

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1209), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This bill would correct an error in the 1962 wheat program law with respect to the withdrawal of excess wheat stored from a previous crop to avoid payment of penalty. Release of excess wheat from a previous crop is permitted either where the allotment is underplanted or where the actual production is less than the normal production of the acreage allotment.

Under the 1962 wheat program wheat allotments were reduced 10 percent below what they otherwise would have been, and the 10

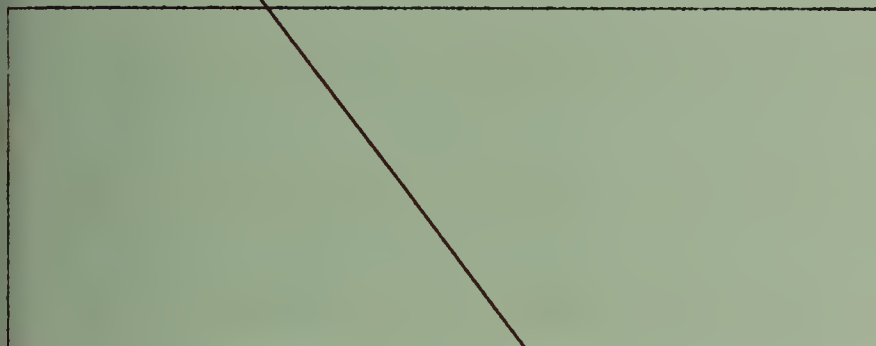
Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued March 6, 1962
For actions of March 5, 1962
87th-2d, No. 31



Adjournment.....	11	Farm program.....	1,29	Latin America.....	7
Appropriations.....	42	Feed grain.....	1,12	Lobbying.....	23
Botanic garden.....	15	Foreign aid.....	8,26	Metric system.....	14
Budget.....	38	Foreign trade.....	9,19,35	Milk.....	1,28
Cheese standards.....	4	Forest roads.....	10	Monopolies.....	27
Claims.....	16	Forest Service.....	45	Outdoor recreation.....	2
Conservation.....	32	Future farmers.....	36	Peanuts.....	37
Cotton.....	33	Health benefits.....	24	Perishable commodities..	17
Dairy program.....	20,29	Holidays.....	18	Personnel.....	16,24
Economic report.....	43	Housing.....	44	Pollution.....	40
Electrification.....	39	Land-grant colleges.....	5	Recreation facilities....	45
Farm machinery.....	34	Lands.....	25,30	Retirement.....	24
				Safety.....	41
				School lunch.....	13
				Social security.....	24
				Soviet farm problems....	6
				Textiles.....	21
				Turkey marketing.....	31
				Urban affairs.....	44
				Water pollution.....	22
				Water resources.....	3
				Wheat.....	46

HIGHLIGHTS: Sen. Williams, Del., criticized proposed grain program. Sen. Hruska criticized proposed farm program. Rep. Schadeberg criticized proposed dairy program.

SENATE

- FARM PROGRAM.** Sen. Williams, Del., claimed the Secretary's farm program "will result in a multimillion-dollar windfall for the grain and feed dealers." pp. 3049-50
Sen. Proxmire inserted and summarized a statement by the Pure Milk Products Cooperative favoring the Secretary's farm program with several amendments. pp. 3055-6
Sen. Hruska criticized the farm bill, claiming that it contains undesirable provisions for fines and imprisonment. pp. 3075-6
- OUTDOOR RECREATION.** Sen. Moss commended the report of the Outdoor Recreation Resources Review Commission and the recreation part of the President's conservation message. pp. 3042-3, 3045-6
- WATER RESOURCES.** A subcommittee of the Agriculture and Forestry Committee approved for full committee consideration the following watershed projects: Escondido Creek, Calif.; Upper Quaboag River, Mass.; Gering Valley, Nebr.; Gunt Neck, N. C.; Wagon Creek, Okla.; Pine Creek, Tenn.; and Leon River, Tex. p. 3135
Sen. Kuchel inserted an article, "Pros and Cons of California's Water Dispute," and his statement favoring the San Luis reservoir project. pp. 3037-9
Sen. Metcalf inserted and commended an article claiming that highway

construction is ruining many fine streams. pp. 3039-41

Passed without amendment H. R. 7855, consenting to an amendment to a compact between Louisiana and Texas regarding Sabine River waters. This bill will now be sent to the President. pp. 3047-8

4. CHEESE STANDARDS. Sen. Wiley inserted a resolution from the Wisconsin Swiss and Limburger Cheese Producers' Association favoring the establishment of standards for Muenster cheese by the Food and Drug Administration. pp. 3043-4
5. LAND-GRANT COLLEGES. Sen. Yarborough commended the land-grant colleges and inserted an article stating that they are a "powerful thrust of democracy." pp. 3071-2
6. SOVIET FARM PROBLEMS. Sen. Miller inserted and commended an article describing Soviet farm problems. pp. 3072-4
7. LATIN AMERICA. Sen. McGee spoke in favor of land reform in Latin America. p. 3076
8. FOREIGN AID. Sen. McGee inserted a statement by W. W. Rostow, of the State Department, comparing the Communist and American foreign aid programs. pp. 3077-8
9. FOREIGN TRADE. Sen. McGee inserted an analysis, by Semour Harris, of the administration's economics and trade policy. p. 3079
10. FOREST ROADS. Sen. Anderson's name was added to the cosponsors of S. 2936, to provide for a system of forest roads and trails. p. 3036
11. ADJOURNED until Thurs., Mar. 8. p. 3084

SENATE

12. FEED GRAINS. On objection of Rep. Ford, passed over H. R. 8914, to permit producers on farms on which summer fallow is a normal practice to plant barley on land devoted to summer fallow during 1961 which is diverted from wheat under the 1962 Wheat Stabilization Program provided an overall reduction of 20% is made in corn, grain sorghums, and barley. p. 3090
13. SCHOOL LUNCH. At the request of Rep. Ford, passed over H. R. 8962, to revise the formula for apportioning cash assistance funds among the States under the National School Lunch Act. p. 3093
14. METRIC SYSTEM. At the request of Rep. Gross, passed over H. R. 2049, to provide that the National Bureau of Standards shall conduct a program of investigation, research, and survey to determine the practicability of the adoption by the U. S. of the metric system of weights and measures. p. 3089
15. BOTANIC GARDEN. On objection of Rep. Ford, passed over H. R. 5628, to provide for a study and investigation of the desirability and feasibility of establishing and maintaining the National Tropical Botanic Garden. pp. 3089-90
16. PERSONNEL; CLAIMS. At the request of Rep. Gross, passed over H.R. 10357, to provide for the settlement of claims against the U. S. by members of the uniformed services and civilian employees for damage to, or loss of, personal property incident to their service. p. 3094

To the Congress of the United States:

I transmit herewith the Seventh Semi-annual Report of the Office of Minerals Exploration from the Secretary of the Interior as prescribed by section 5 of the act of August 21, 1958, entitled "To provide a program for the discovery of the mineral reserves of the United States, its territories and possessions by encouraging exploration for minerals, and for other purposes."

JOHN F. KENNEDY.

THE WHITE HOUSE, March 1, 1962.

THIRD ANNUAL REPORT OF THE COMMISSION ON INTERNATIONAL RULES OF JUDICIAL PROCEDURE

The SPEAKER laid before the House the following message from the President of the United States, which was read by the Clerk and, together with the accompanying papers, referred to the Committee on the Judiciary:

To the Congress of the United States:

Pursuant to the provisions of Public Law 85-906, as amended, I transmit herewith for the information of the Congress the Third Annual Report of the Commission on International Rules of Judicial Procedure covering the period ending December 31, 1961.

JOHN F. KENNEDY.

THE WHITE HOUSE, March 3, 1962.

(Mr. DORN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

[Mr. DORN'S remarks will appear hereafter in the Appendix.]

CORRECTION OF THE RECORD

Mr. BASS of Tennessee. Mr. Speaker, in the CONGRESSIONAL RECORD of March 1, 1962, at page A1556, I inserted an article which is headed "Marketplace No Longer Has Old Limits." The preface to this was omitted. It should have included a statement saying that these were excerpts from a speech made by Senator ESTES KEFAUVER to the Rotary Club in Lebanon, Tenn. I therefore ask unanimous consent that the article be repointed with the proper preface giving credit for the speech to Senator ESTES KEFAUVER of Tennessee.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

AMEND SOCIAL SECURITY ACT TO CONTINUE PAYMENTS TO DEPENDENT SCHOOLCHILDREN AFTER AGE 18

(Mrs. BOLTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BOLTON. Mr. Speaker, I am introducing a bill today to amend title II of the Social Security Act to authorize the continuance of payments to children after they reach age 18 while unmarried

and enrolled in an approved school. Legislation of this type is one of the major objectives of the American Legion's education and scholarship program. This fine organization is to be commended for its efforts in behalf of our youth.

As of November 30, 1961, there were 2,142,600 young people under the age of 18 receiving social security benefits because their wage-earner parent as either deceased, totally and permanently disabled, or over 62 years of age and no longer employed. The present law provides that social security payments terminate the month beneficiaries reach 18. All too often the student has not finished the high school years and is forced to drop out before graduation. Studies have shown that students who have to drop out before completing high school constitute the country's highest unemployment ratio and the incidence of juvenile delinquency is 10 times higher among this group than for those who stay in school.

It has been estimated that passage of a bill such as I am introducing would enable about 165,000 students in the 18 to 21 age group to continue in school next fall and complete their high school work. The cost involved would be infinitesimal when we compare the advantages to our country. Studies show that the additional knowledge acquired by these young people remaining in school could make possible all, or part of the following: First, provide our Nation with better qualified personnel; second, reduce the incidence of unemployment; third, improve living standards and strengthen our economy; and fourth, create a better qualified manpower reserve in case of a national emergency.

Mr. Speaker, it is my hope that the Committee on Ways and Means will give favorable consideration to this matter and that early action will follow in the House and Senate.

FEDERAL RESERVE BUYS \$50 MILLION OF FRANCS

(Mr. GROSS asked and was given permission to address the House for 1 minutes and to revise and extend his remarks.)

Mr. GROSS. Mr. Speaker, I came across a small news item in the Washington Star of last Friday evening which excites my curiosity. It reads as follows:

The Federal Reserve System announced yesterday it has purchased \$50 million of French francs for possible future use in defending the dollar.

The transaction, arranged between the Federal Reserve Bank of New York and the Bank of France, was the first of its kind since World War II.

The Reserve System will use the francs to buy dollars in foreign exchange markets if the dollar weakens in relation to the franc. The effect would be to strengthen demand for the dollar and bolster its position.

This raises some very interesting questions. I did not have time this morning to talk as long as I wanted to with Chairman Martin of the Federal Reserve System, and I want to know, among other things, whether we bought heavy or light francs. The French have both.

I want to know, too, why we have to buy francs in order to support the American dollar? Is this dollar of ours so weak that we have to buy French francs, or is this by subterfuge getting \$50 million into the hands of the French?

Mr. Martin has promised to send me an explanation and, perhaps, I will be able to enlighten the House further.

TO CONFER JURISDICTION UPON THE COURT OF CLAIMS TO DETERMINE THE CLAIM AGAINST THE UNITED STATES OF AMIS CONSTRUCTION CO. AND SAN ORE CONSTRUCTION CO.

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 2990) to confer jurisdiction upon the Court of Claims to determine the claim against the United States of Amis Construction Co. and San Ore Construction Co., with Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Resolved, That the bill from the House of Representatives (H.R. 2990) entitled "An Act to confer jurisdiction upon the Court of Claims to determine the claim against the United States of Amis Construction Company and San Ore Construction Company" do pass with the following amendment: Page 2, line 16, strike out "to" and insert "the".

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

PROVIDING FOR A SURVEY TO DETERMINE THE PRACTICABILITY OF ADOPTING THE METRIC SYSTEM OF WEIGHTS AND MEASURES

The Clerk called the bill (H.R. 2049) to provide that the National Bureau of Standards shall conduct a program of investigation, research, and survey to determine the practicability of the adoption by the United States of the metric system of weights and measures.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

NATIONAL BOTANIC GARDEN IN HAWAII

The Clerk called the bill (H.R. 5628) to provide for a study and investigation of

the desirability and feasibility of establishing and maintaining a National Tropical Botanic Garden.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, I would like to note that this proposal failed passage under suspension of the rules September 21, 1961. It would therefore on the surface appear to be a bill that should not be considered on the Consent Calendar. I therefore withdraw my reservation of objection.

Mr. FORD, Mr. WEAVER and Mr. GROSS objected; and, under the rule, the bill was stricken from the Consent Calendar.

PARTICIPATION IN 1961 FEED GRAIN PROGRAM

The Clerk called the bill (H.R. 8914) to amend subsection (d) of section 16 of the Soil Conservation and Domestic Allotment Act, as amended.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, this bill failed passage under suspension of the rules September 18, 1961. Obviously it does not qualify for consideration on the Consent Calendar. I withdraw my reservation and object.

The SPEAKER. Objection is heard.

PRINCE GEORGES COUNTY SCHOOL BOARD, MARYLAND

The Clerk called the bill (H.R. 6759) for the relief of the Prince Georges County School Board, Maryland.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

MINING CLAIM ON SOUTH RIM OF GRAND CANYON NATIONAL PARK

The Clerk called the bill (S. 383) to provide for the acquisition of a patented mining claim on the south rim of Grand Canyon National Park, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, this bill failed of passage under suspension of the rules on February 5, 1962. Obviously it does not qualify for consideration on the Consent Calendar. I withdraw my reservation.

Mr. FORD, Mr. WEAVER, and Mr. GROSS objected; and, under the rule, the bill was stricken from the Consent Calendar.

CUYAHOGA COUNTY, OHIO

The Clerk called the bill (H.R. 9304) for the relief of Cuyahoga County, Ohio.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$44,707.74 to the county of Cuyahoga, Ohio, in accordance with the recommendations of the concurring opinion in congressional reference case numbered 7-59, Cuyahoga County, Ohio, against the United States, in the Court of Claims. The amount paid under the authority of this Act shall be in full settlement of all claims of Cuyahoga County, Ohio, against the United States for taxes, interest, assessments, and penalties due that county on parcels numbered 2 and 3 of property involved in a housing project in the city of Euclid, Ohio, which was included in a condemnation proceeding instituted in the United States District Court for the Northern District of Ohio on April 22, 1942: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 5, strike out "\$44,707.74" and insert "\$22,353.87."

Page 1, line 7, strike "concurring."

Page 2, line 7, strike out "in excess of 10 per centum thereof."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FILING REPORTS UNDER PUBLIC LAW 86-272

The Clerk called the bill (H.R. 10043) to amend Public Law 86-272, as amended, with respect to the reporting date.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 202 of Public Law 86-272 (73 Stat. 556), as amended, is amended to read as follows:

"Sec. 202. The committees shall report to their respective Houses the results of such studies, together with their proposals for legislation on or before July 1, 1963."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLAY COUNTY HOSPITAL, BRAZIL, IND.

The Clerk called the bill (H.R. 4188) for the relief of the Clay County Hospital, Brazil, Ind.

Mr. BOLAND. Mr. Speaker, reserving the right to object, I would like to have the gentleman from Illinois explain the bill.

Mr. LIBONATI. Mr. Speaker, this bill is in conformity with statutory law relative to a contribution of 50 percent by the Government toward civil defense programs that are necessitous and approved. An increase in the generator at this hospital which was supported by public subscription was had and approved. The county officer spoke with the Federal authority and was informed that the bill should be put in for the subsequent year because of the fact that the Federal Government had not appropriated sufficient funds to meet its obligation. This was done.

We found that in the Department there was an objection because of the fact that it did not conform to the statute in that the bill should have been presented in the year in which it was installed. We found in our investigation many other centers have followed the same practice when advised by the Federal agency relative to the operation of funds beyond the amount pledged. Therefore we acted upon this bill and approved it. The city of Brazil lies between two very important centers, Terre Haute, Ind., and Indianapolis. We find in the matter of honesty of purpose that this bill corrects the shortcomings of the Government as to appropriations that we recommended.

Mr. BOLAND. Mr. Speaker, I withdraw my reservation of objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Clay County Hospital, of Brazil, Indiana, the sum of \$7,057.50. The payment of such sum shall be in full settlement of all the claims of the Clay County Hospital against the United States for payment of civil defense matching funds for an emergency generator for an addition to such hospital which payment was not made in the fiscal year ending June 30, 1960, because funds were not available for such purpose, and cannot now be made because of regulations which prohibit the retroactive payment of such funds: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 2, lines 4 and 5, strike out "in excess of 10 per centum thereof".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WIND RIVER INDIAN IRRIGATION PROJECT, WYOMING

The Clerk called the bill (H.R. 3444) to approve an order of the Secretary of

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued March 20, 1962
For actions of March 19, 1962
87th-2d, No. 40

CONTENTS

Administrative procedure.....	26	Electrification.....	21,31,37	Perishable commodities....	18
Appropriations.....	22,35,42	Farm program.....	3,27	Personnel.....	15,45,46
Bridges.....	17	Feed grains.....	13	Property.....	41,46
Cherry marketing.....	39	Foreign trade.....	5,36	REA.....	21,31,37
Claims.....	15	Forestry.....	9	Reclamation.....	4
Conservation.....	19,23	Health.....	33	Recreation.....	29
Consumers.....	2	Lands.....	16	Research.....	28,38
Cooperatives.....	20	Livestock.....	7	School lunch.....	14
Dairy industry.....	32,43	Loans.....	8	Small business.....	22
Disaster relief.....	22	Marketing research.....	38	Soil bank.....	23
Education.....	35	Meat inspection.....	34	Soil research.....	28
		Milk.....	32,43	Sugar.....	1,24
				Taxation.....	10
				Textiles.....	25
				Tobacco.....	6
				Trade.....	26
				Water compact.....	40
				Water research.....	28
				Water pollution.....	30
				Water resources.....	44
				Weights and measures....	12
				Wildlife.....	11

HIGHLIGHTS: House subcommittee voted to report bill for permanent Federal administration of ACP program. Sen. Carlson criticized proposed reduction in domestic sugarbeet production. House committee reported (on Mar. 16) tax revision bill.

SENATE

1. SUGAR. Sen. Carlson criticized "cutting domestic sugarbeet production by at least 10 to 12 percent, as proposed in the administration's program," and urged early enactment of "a realistic long-range Sugar Act." pp. 4116-7
2. CONSUMERS. Sen. Miller inserted two editorials critical of the President's recent message on consumers. pp. 4127-8
3. FARM PROGRAM. Sen. McCarthy inserted a series of resolutions and observations of the Land O'Lakes Creameries, Inc., relating to various aspects of agriculture and the farm program. pp. 4121-2
4. RECLAMATION. Sen. Bennett urged a speedup in the planning and construction of the central Utah and Dixie reclamation projects in Utah. pp. 4117-20
5. FOREIGN TRADE. Sen. Humphrey commended and urged early consideration of the President's foreign trade proposals and inserted an article stating that Minn.

farmers supplied the U. S. export market with products worth \$163,700,000 in 1960 and 1961. pp. 4129-31

6. TOBACCO. Sen. Neuberger spoke in favor of her resolution providing for the President to create "a Commission on Tobacco and Health, and also to initiate a massive public information program on the hazards of cigarette smoking with particular emphasis on the relationship between smoking and lung cancer." pp. 4141-2

HOUSE

7. LIVESTOCK. The Subcommittee on Livestock and Feed Grains of the Agriculture Committee voted to report to the full committee with amendments S. 860, to provide greater protection against the introduction and dissemination of diseases of livestock and poultry. p. D187
8. LOANS. The Merchant Marine and Fisheries Committee reported with amendments H. R. 7336, to authorize the Secretary of the Interior to make loans to certain producers of oysters (H. Rept. 1449). p. 4107
The "Daily Digest" states that the Subcommittee on Conservation and Credit of the Agriculture Committee "ordered reported favorably to the full committee H. R. 946 (amended), to extend to oyster planters the benefits of the provision of the present law which provide for production disaster loans for farmers and stockmen." p. D137
9. FORESTRY. At the request of Rep. Rutherford, passed over without prejudice H. R. 9822, to provide that lands within a national forest acquired under section 3 of the act of June 28, 1934, as amended (43 U.S.C. 315g), may be added to the national forest. p. 4073
10. TAXATION. On March 16, during adjournment, the Ways and Means Committee reported without amendment H. R. 10650, to amend the Internal Revenue Code of 1954 to provide a credit for investment in certain depreciable property, to eliminate certain defects and inequities (H. Rept. 1447). p. 4107
11. WILDLIFE. The Merchant Marine and Fisheries Committee reported with amendments H. J. Res. 489, to provide protection for the golden eagle (H. Rept. 1459). p. 4107
12. WEIGHTS AND MEASURES. At the request of Rep. Gross, passed over without prejudice H. R. 2049, to provide that the National Bureau of Standards shall conduct a program of investigation, research, and survey to determine the practicability of the adoption by the U. S. of the metric system of weights and measures. p. 4043
13. FEED GRAINS. On objection of Reps. Ford, Pelly, and Curtis, Mo., passed over H. R. 8914, to permit producers on farms on which summer fallow is a normal practice to plant barley on land devoted to summer fallow during 1961 which is diverted from wheat under the 1962 Wheat Stabilization Program provided an overall reduction of 20% is made in corn, grain sorghums, and barley. p. 4043
14. SCHOOL LUNCH PROGRAM. At the request of Rep. Ford, passed over without prejudice H. R. 8962, to revise the formula for apportioning cash assistance funds among the States under the National School Lunch Act. p. 4044



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 87th CONGRESS, SECOND SESSION

Vol. 108

WASHINGTON, MONDAY, MARCH 19, 1962

No. 40

House of Representatives

The House met at 12 o'clock noon.

The Reverend Roy Pfautch, assistant to the president of Princeton Theological Seminary, Princeton, N.J., offered the following prayer:

In the name of the Father, the Son, and the Holy Spirit, one God blessed forever. Amen.

Almighty God, Thou hast made us for Thyself and our rest, purpose, and end are in Thee. Forgive us for the pride in our own works which confuses Thy purpose for us. In Thy love, bless the Members of this Chamber. Let them know themselves in Thee: their talents, skills, and wisdom. So knowing, give them vision and strength to order their lives in Thy light, to the end that this Nation, conceived in Thy love, might prosper to its own welfare and to the cause of peace on earth and good will among all men. Give Thy grace to these whom Thou hast endowed for leadership that they might humbly guide our country with a heart, a mind, a being that cries "Thy will be done." In so doing, grant that our people and these Representatives might mark their days with progress and endeavor in their common pilgrimage to and for Thee through Jesus the Christ, who has given us light that we might see and live. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, March 15, 1962, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 61. Concurrent resolution requesting the President to designate the week of March 25, 1962, as Voluntary Overseas Aid Week.

The message also announced that the Vice President had reappointed Mr. ERVIN, Mr. MUNDT, and Mr. MUSKIE as

members on the part of the Senate of the Commission on Intergovernmental Relations, authorized by Public Law 380, 86th Congress.

HOUSE BILL ENROLLED

Mr. BURLESON, from the Committee on House Administration, announced that that committee had, on March 15, 1962, examined and found truly enrolled a bill of the House of the following title:

H.R. 8723. An act to amend the Welfare and Pension Plans Disclosure Act with respect to the method of enforcement and to provide certain additional sanctions, and for other purposes.

ENROLLED BILL SIGNED

The SPEAKER. The Chair desires to announce that pursuant to the authority granted him on Thursday, March 15, 1962, he did on March 16, 1962, sign the following enrolled bill of the House:

H.R. 8723. An act to amend the Welfare and Pension Plans Disclosure Act with respect to the method of enforcement and to provide certain additional sanctions, and for other purposes.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar Day. The Clerk will call the first bill on the Consent Calendar.

METRIC SYSTEM OF WEIGHTS AND MEASURES

The Clerk called the bill (H.R. 2049) to provide that the National Bureau of Standards shall conduct a program of investigation, research, and survey to determine the practicability of the adoption by the United States of the metric system of weights and measures.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

PARTICIPATION IN 1962 FEED GRAIN PROGRAM

The Clerk called the bill (H.R. 8914) to amend subsection (d) of section 16 of the Soil Conservation and Domestic Allotment Act, as amended.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Reserving the right to object, Mr. Speaker, it was my impression that on the last call of the Consent Calendar we had obtained a sufficient number of objectors to remove this proposal from the Consent Calendar.

The SPEAKER. The Chair will state that at the last call of the Consent Calendar on this particular bill only one objection was required. At this time it requires three objections.

Mr. FORD. I withdraw my reservation of objection, Mr. Speaker, and object to the consideration of the bill.

Mr. PELLY. I object, Mr. Speaker.

Mr. CURTIS of Missouri. I object, Mr. Speaker.

Under the rule, the bill was stricken from the Consent Calendar.

PRINCE GEORGES COUNTY SCHOOL BOARD, MARYLAND

The Clerk called the bill (H.R. 6759) for the relief of the Prince Georges County School Board, Maryland.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

COMMITTING JUVENILE DELINQUENTS FOR OBSERVATION AND STUDY

The Clerk called the bill (S. 1691) to provide that any juvenile who has been determined delinquent by a district court of the United States may be committed by the court to the custody of the Attorney General for observation and study.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5034 of title 18 of the United States Code is amended, by adding immediately after the third paragraph thereof the following new paragraph:

"If the court desires more detailed information as a basis for determining whether to place any juvenile delinquent on probation or to commit him to the custody of the Attorney General under the first paragraph of this section, the court may commit such delinquent to the custody of the Attorney General for observation and study at an appropriate classification center or agency. The Director of the Bureau of Prisons, under such regulations as the Attorney General may prescribe, shall, after the delinquent has been so committed, cause a complete study to be made of the delinquent, including a mental and physical examination, to ascertain his personal traits, his capabilities, pertinent circumstances of his social background, any previous delinquency or criminal experience, any mental or physical defect or other factor contributing to his delinquency, and any other factors which the Director may consider pertinent. A full and complete report of the results of such study, together with any recommendations which the Director believes would be helpful to the court in making its determination, shall be furnished to the court by the Director within sixty days after the date such delinquent is ordered committed to the custody of the Attorney General under this paragraph unless the court grants additional time for further study. No delinquent shall be committed under this paragraph for a period exceeding his minority or the term which might have been imposed had he been tried and convicted of the alleged violation for which he was determined delinquent, whichever occurs first."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENTS TO NATIONAL SCHOOL LUNCH ACT

The Clerk called the bill (H.R. 8962) to revise the formula for apportioning cash assistance funds among the States under the National School Lunch Act, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. BAILEY. Reserving the right to object, Mr. Speaker, will the gentleman, if he finds objection to the bill, consider proceeding with the consideration of the bill and state his objections, which perhaps can be answered and the bill can be cleared?

Mr. FORD. A very casual reading of this proposal, and I have done much more than that, indicates it does not qualify for consideration on the Consent Calendar, based on the dollar limitation. We have certain rules on the Consent Calendar, agreed to by both Democratic and Republican Members. Under those criteria this bill does not qualify.

Mr. BAILEY. If the gentleman makes a point that it exceeds the amount of

money involved, may I say that it was unanimously reported by the committee and most of the organizations concerned are unanimously in support of it.

Mr. FORD. My only objection is that it does not qualify under the criteria established by the objectors. The bill undoubtedly has considerable merit, but it does not qualify under our rules.

Mr. BAILEY. I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

INCLUSION OF MENOMINEE COUNTY IN EASTERN JUDICIAL DISTRICT OF WISCONSIN

The Clerk called the bill (H.R. 10184) to amend section 130(a) of title 28, United States Code, so as to reconstitute the Eastern Judicial District of Wisconsin to include Menominee County, Wis.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 130 of title 28, United States Code, is amended to read as follows:

"(a) The Eastern District comprises the counties of Brown, Calumet, Dodge, Door, Florence, Fond du Lac, Forest, Green Lake, Kenosha, Kewaunee, Langlade, Manitowoc, Marinette, Marquette, Menominee, Milwaukee, Oconto, Outagamie, Ozaukee, Racine, Shawano, Sheboygan, Walworth, Washington, Waukesha, Waupaca, Waushara, and Winnebago.

"Court for the Eastern District shall be held at Green Bay, Milwaukee, and Oshkosh."

With the following committee amendment:

On page 2, line 3, strike the word "Easter" and insert in lieu thereof the word "Eastern."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SETTLEMENT OF CERTAIN CLAIMS

The Clerk called the bill (H.R. 10357) to provide for the settlement of claims against the United States by members of the uniformed services and civilian officers and employees of the United States for damage to, or loss of, personal property incident to their service, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Reserving the right to object, Mr. Speaker, during the past week I discussed this bill with members of the staff of the Committee on the Judiciary in the hope we might work out an amendment to the bill, but apparently that is impossible at this time. I understand that the committee has been in communication with various agencies which will be affected by this proposal, and it would be my hope that it may be possible to insert in the RECORD in connection with the passage of this bill the information that has been obtained from the various agencies.

Mr. LIBONATI. Mr. Speaker, the following communications contain the factual data explaining the purpose of this legislation:

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, D.C., March 9, 1962.

Mr. WILLIAM P. SHATTUCK,
Committee on the Judiciary Staff, House of Representatives, Washington, D.C.

DEAR MR. SHATTUCK: The procedures used within the Department of Defense for the transportation of household effects hinges upon rulings of the Interstate Commerce Commission and decisions of the Comptroller General. In the Department of Defense the Defense Tariff Management Service is in charge of carrying out these procedures.

After passage of the Motor Carrier Act of 1935, various rulings were promulgated in the public interest by the Interstate Commerce Commission to assist in the protection of what was then an infant industry, namely, the carriage of household effects by motor carrier. The ruling which is persuasive in the case of the Department of Defense is MC 19 which requires only a 30-cent liability per pound/per article in the case of uncrated household goods. It is to be emphasized that this ruling applies only to household effects and not to other types of freight.

In a decision by the Comptroller General B-138736 (38 CompGen 768) it was held in 1959 that the Government should take advantage of favorable rates based upon limited liability (excerpts attached).

The Department of Defense has not required any greater liability than that under the rule making proceedings of the Interstate Commerce Commission. At one time the carriers made competitive offers of reducing their liability (for example, 10 cents per pound/per article) as a device to reduce the carriage rate. When this occurred the Department of Defense decided to adhere to the 30-cent minima contained in MC 19; otherwise, it was believed, there might be a tendency for the carrier to become careless in the handling of household effects. Conversely, the carriers have also made an effort to capture an increased share of the Department of Defense traffic by offering to raise their liability on a pound/per article basis, even to the extent of offering full coverage up to \$6,500. The Department of Defense again decided to adhere to the 30-cent minima in line with MC 19 because the offers made by the carriers contained many built-in exclusions not normally found in the carrier business. It is also to be noted that it would tend to conflict with the CompGen decision cited above. Further, the raising or lowering of the liability would not have been in keeping with the Interstate Commerce Commission MC 19 ruling.

Eligibility of a carrier for Department of Defense business is determined by the carrier submitting a "tender of service." This is a statement by the carrier that he will abide by the standards established by the Department of Defense which are considerably higher than those applicable to an ordinary household effects shipment. If the carrier is considered qualified by the Defense Traffic Management Service he becomes eligible to carry household effects of Department of Defense personnel. As long as he continues to abide by Department of Defense standards he remains eligible; failure to process claims promptly is one of the grounds for his suspension and resulting loss of traffic.

Whenever a carrier is suspended for any reason (e.g., overweights), he is suspended until such time as he satisfactorily establishes that he will adhere to the Department of Defense standards. Notification of such suspension is made to any parent national

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued March 22, 1962
For actions of March 21, 1962
87th-2d, No. 42

CONTENTS

Appropriations.....	21,33	Foreign aid.....	18	Monopolies.....	28
Budgeting.....	3,32	Foreign currencies.....	7	Peace Corps.....	12,16,34
Conservation.....	14	Foreign trade.....	6,10,27	Personnel.....	5,23
Crop insurance.....	8	Forest products.....	25	Public debt.....	20
Disaster loans.....	22	Government-business compensation.....	11	Research.....	4
Education.....	21	Holiday.....	29	Soybeans.....	31
Electrification.....	30	Imports.....	6,24	Starch.....	6
Farm labor.....	13	Item veto.....	32	Surplus property.....	26
Farm program.....	1,13	Lands.....	19	Tapioca.....	6
Feed grains.....	2	Legislative program.....	9	Travel.....	5
Flood insurance.....	17			Unemployment.....	15,27

HIGHLIGHTS: Rep. Latta criticized farm bill. House Rules Committee cleared bill to permit summer fallow lands to participate in feed grains program.

HOUSE

1. FARM PROGRAM. Rep. Latta criticized the provisions of H. R. 10010, the Administration's farm bill, saying, "the American farmer has done nothing to call for the enactment of such punitive legislation." pp. 4352-3
2. FEED GRAINS. The Rules Committee reported a resolution for the consideration of S. 2533, to permit farmers in summer fallow areas to receive barley, corn, and grain sorghum price support and to participate in the corn and grain sorghum diversion program provided they reduce their corn and grain sorghum acreage to the extent necessary to bring their acreage of corn, grain sorghum, and barley down to not more than 80 percent of the 1959-60 average of those three crops. p. 4369
3. BUDGETING. The Government Operations Committee voted to report (but did not actually report) H. R. 10613, to repeal subsection (d) of sec. 16 of the Administrative Expense Act of 1946 which requires detailed budget estimates for appropriations to be used for purchase or hire of passenger motor vehicles or for purchase, maintenance, or operation of aircraft. p. D196

4. RESEARCH. The Government Operations Committee voted to report (but did not actually report) H. R. 6984, to provide for a method of payment of indirect costs of research and development contracted by the Federal Government at universities, colleges, and other educational institutions. p. D196
5. PERSONNEL; TRAVEL. The Government Operations Committee voted to report (but did not actually report) H. R. 10652, to provide a more reasonable allowance for transportation of house trailers or mobile dwellings by certain governmental officers and employees upon their transfer from one official station to another. p. D196
6. TAPIOCA; STARCH. Rep. Curtis, Mo., discussed his bill H. R. 10823, to amend the Tariff Act of 1930 to provide quota limitations on imports of duty-free tapioca and to provide for a tariff on additional imports, saying, "The domestic starch producers are in a vulnerable position because the United States has no tariff while the other major countries do." pp. 4351-2
7. FOREIGN CURRENCIES. Received from various committees reports on their expenditures of foreign currencies and appropriated funds for travel outside the U. pp. 4356-69
8. CROP INSURANCE. Received from the Comptroller General a report on the audit of FCIC for 1961 (H. Doc. 368). p. 4369
9. LEGISLATIVE PROGRAM. Rep. Albert announced that S. 2533, to amend the requirements for participation in the 1962 feed grain program, will be considered on Thurs. p. 4340

SENATE

10. FOREIGN TRADE. Sen. Javits discussed the "need for a personal campaign by President Kennedy to explain the issues underlying the trade policy debate," and inserted several items on the foreign trade issue. pp. 4280-1
Sen. Smith, Mass., inserted a report by the New England Council for Economic Development, "The Trade Expansion Program and Its Meaning for New England." pp. 4294-7
11. GOVERNMENT-BUSINESS COMPETITION. Sen. Towers stated that "the Federal Government is in many areas and on many fronts in active competition with private business," and urged a lessening of Government-business competition. pp. 4267-71
12. PEACE CORPS. Sen. Javits inserted a National Lutheran Council resolution commending the Peace Corps. p. 4281

ITEMS IN APPENDIX

13. FARM PROGRAM. Rep. Chipfield inserted an editorial commending the Farm Bureau's cropland adjustment plan, "Farm Bureau Plan Merits Trial." p. A2169
Rep. Norblad inserted an editorial critical of the Administration's farm bill, "An Enemy of the People?" pp. A2183-4
Rep. Thornberry inserted an article by the County Agent in Washington County, Tex., defending agricultural price supports, "County Agent Doubts Farm Aid and Controls Socialistic." pp. A2195-6
Rep. Gathings inserted an article defending the Mexican farm labor program, "The Case for Braceros." pp. A2159-61

CONSIDERATION OF S. 2533

MARCH 21, 1962.—Referred to the House Calendar and ordered to be printed

Mr. TRIMBLE, from the Committee on Rules, submitted the following

R E P O R T

[To accompany H. Res. 572]

The Committee on Rules, having had under consideration House Resolution 572, report the same to the House with the recommendation that the resolution do pass.



THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

RECEIVED

1954

1954

1954

1954

House Calendar No. 194

87TH CONGRESS
2^D SESSION

H. RES. 572

[Report No. 1476]

IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 1962

MR. TRIMBLE, from the Committee on Rules, reported the following resolution;
which was referred to the House Calendar and ordered to be printed

RESOLUTION

1 *Resolved*, That upon the adoption of this resolution it
2 shall be in order to move that the House resolve itself into
3 the Committee of the Whole House on the State of the
4 Union for the consideration of the bill (S. 2533), a bill
5 to amend the requirements for participation in the 1962
6 feed grain program. After general debate, which shall be
7 confined to the bill, and shall continue not to exceed one
8 hour, to be equally divided and controlled by the chairman
9 and ranking minority member of the Committee on Agri-
10 culture, the bill shall be read for amendment under the five-
11 minute rule. At the conclusion of the consideration of the
12 bill for amendment, the Committee shall rise and report

1 the bill to the House with such amendments as may have
2 been adopted, and the previous question shall be considered
3 as ordered on the bill and amendments thereto to final
4 passage without intervening motion except one motion to
5 recommit.

House Calendar No. 194

87TH CONGRESS
2^D SESSION

H. RES. 572

[Report No. 1476]

RESOLUTION

Providing for the consideration of S. 2533, a
bill to amend the requirements for participa-
tion in the 1962 feed grain program.

By Mr. TUMBLE

MARCH 21, 1962

Referred to the House Calendar and ordered to be
printed

House Calendar No. 194

87TH CONGRESS
2^D SESSION

H. RES. 572

[Report No. 1476]

IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 1962

Mr. TRIMBLE, from the Committee on Rules, reported the following resolution;
which was referred to the House Calendar and ordered to be printed

RESOLUTION

1 *Resolved*, That upon the adoption of this resolution it
2 shall be in order to move that the House resolve itself into
3 the Committee of the Whole House on the State of the
4 Union for the consideration of the bill (S. 2533), a bill
5 to amend the requirements for participation in the 1962
6 feed grain program. After general debate, which shall be
7 confined to the bill, and shall continue not to exceed one
8 hour, to be equally divided and controlled by the chairman
9 and ranking minority member of the Committee on Agri-
10 culture, the bill shall be read for amendment under the five-
11 minute rule. At the conclusion of the consideration of the
12 bill for amendment, the Committee shall rise and report

1 the bill to the House with such amendments as may have
2 been adopted, and the previous question shall be considered
3 as ordered on the bill and amendments thereto to final
4 passage without intervening motion except one motion to
5 recommit.

House Calendar No. 194

87TH CONGRESS
2^D SESSION

H. RES. 572

[Report No. 1476]

RESOLUTION

Providing for the consideration of S. 2533, a
bill to amend the requirements for participa-
tion in the 1962 feed grain program.

By Mr. TRIMBLE

MARCH 21, 1962

Referred to the House Calendar and ordered to be
printed

87TH CONGRESS
2D SESSION

S. 2533

IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 1962

Ordered printed

AN ACT

To amend the requirements for participation in the 1962 feed grain program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 105 (c) (4) of the Agricultural Act of 1949 is
4 amended by changing the parenthetical statement in the first
5 sentence to read as follows: “(except in the case of a pro-
6 ducer of malting barley as hereinafter described and except
7 in the case of a producer of barley on a summer-fallow farm
8 as hereinafter described)”, and by changing the period at the
9 end of such section to a colon and adding the following:
10 “*Provided further,* That no producer of barley on a farm
11 where summer fallow is the normal practice shall be required

1 to participate in the special agricultural conservation program
2 for 1962 for barley if he (i) does not knowingly devote an
3 acreage on the farm to barley in excess of the average acre-
4 age devoted on the farm to barley in 1959 and 1960 plus the
5 acreage devoted to summer fallow in 1961 which is diverted
6 from the production of wheat under the special 1962 wheat
7 program, and (ii) does not knowingly devote an acreage
8 on the farm to corn, grain sorghums, and barley in excess of
9 80 per centum of the average acreage devoted on the farm to
10 corn, grain sorghums, and barley in 1959 and 1960.”

11 SEC. 2. Section 16 (d) (1) of the Soil Conservation and
12 Domestic Allotment Act is amended by changing the paren-
13 thetical statement in the second sentence to read as follows:
14 “(other than a producer of malting barley as described in
15 section 105 (c) (4) of the Agricultural Act of 1949, or a
16 producer of barley on a summer-fallow farm as described in
17 such section)”, and by inserting after the second sentence a
18 new sentence reading as follows: “The excess, if any, of the
19 acreage devoted to barley in 1962 on a summer-fallow farm
20 as described in section 105 (c) (4) of the Agricultural Act
21 of 1949 over the average acreage devoted to barley on such
22 farm in 1959 and 1960 shall be considered as planted to
23 corn and grain sorghums for the purpose of determining

1 extent of participation and payments under the special agri-
2 cultural conservation program for 1962 for corn and grain
3 sorghums.”

Passed the Senate February 20, 1962.

Attest:

FELTON M. JOHNSTON,

Secretary.

87TH CONGRESS
2d Session

S. 2533

AN ACT

To amend the requirements for participation in
the 1962 feed grain program.

IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 1962

Ordered printed

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued March 23, 1962
For actions of March 22, 1962
87th-2d, No. 43

CONTENTS

Acreage allotments.....28	Education.....9	Potatoes.....28
Adjournment.....19	Electrification.....6,30	Property.....32
Appropriations.....14,18	Feed grains.....1	Public debt.....30
Banking.....5,13	Foreign trade.....7,27	Public works.....10
Conservation.....8	Honeybees.....11	Reclamation.....30
Contracts.....29	Legislative program.....18	Retirement.....15
Cooperatives.....5,12	Livestock diseases.....2	Rural development.....17
Cotton textiles.....7	Loans.....4	Stockpiling.....21
Crop insurance.....20	Perishable commodities...3	Sugar.....26
Dairy.....16	Personnel.....15,31	Taxation.....12

HIGHLIGHTS: House passed bill to permit summer fallow lands to participate in feed grains program. House Rules Committee cleared tax bill. House committee voted to report Youth Conservation Corps bill. House committee voted to report bill for import-export controls on nonparticipants in multilateral cotton textile agreements. Sen. Muskie and Reps. Cooley and McIntire introduced and Sen. Muskie and Rep. McIntire discussed bills to provide supply management program for potatoes.

HOUSE

- 1. FEED GRAINS.** Passed without amendment S. 2533, to permit farmers in summer fallow areas to receive barley, corn, and grain sorghum price support and to participate in the corn and grain sorghum diversion program provided they reduce their corn and grain sorghum acreage to the extent necessary to bring their acreage of corn, grain sorghum, and barley down to not more than 80 percent of the 1959-60 average of those three crops. This bill will now be sent to the President. A similar bill, H. R. 8914, was laid on the table. pp. 4372-81
- 2. LIVESTOCK DISEASES.** The Agriculture Committee voted to report (but did not actually report) with amendments S. 860, to grant the Secretary of Agriculture additional authority to provide greater protection against the introduction and dissemination of diseases of livestock and poultry. p. D200
- 3. PERISHABLE COMMODITIES.** The Agriculture Committee voted to report (but did not actually report) with amendments S. 1037, to amend the provisions of the

Perishable Agricultural Commodities Act retarding fees, oral hearings, and re-licensing of persons under the Act. p. D200

4. LOANS. The Agriculture Committee voted to report (but did not actually report) with amendments H. R. 946, to extend to oyster planters the benefits of the provisions of present law which provide for production disaster loans for farmers and stockmen. p. D200
5. COOPERATIVES. The Agriculture Committee voted to report (but did not actually report) H. R. 10374, to reduce the revolving fund available for subscriptions to the capital stock of the banks for cooperatives. p. D200
6. ELECTRIFICATION. The Agriculture Committee voted to report (but did not actually report) H. R. 10708, to amend section 203 of the Rural Electrification Act of 1936, as amended, with respect to communication service for the transmission of voice, sounds, signals, pictures, writing, or signs of all kinds through the use of electricity. p. D200
7. FOREIGN TRADE. The Agriculture Committee voted to report (but did not actually report) H. R. 10788, to amend section 204 of the Agricultural Act of 1956 to authorize the President to extend import-export controls to non-participants in multilateral cotton textile agreements. p. D200
8. CONSERVATION. The Committee on Education and Labor voted to report (but did not actually report) H. R. 10682, to authorize the establishment of a Youth Conservation Corps. p. D201
9. EDUCATION. The "Daily Digest" states that the Education and Labor Committee "ordered introduced in the House in lieu of H. R. 10390, the Adult Basic Education Act of 1962 (clean bill -- H. R. 10860)." p. D201
10. PUBLIC WORKS. Subcommittee No. 4 of the Judiciary Committee voted to report to the full committee with amendments H. J. Res. 464, to provide for the designation of the week commencing October 1, 1961, as "National Public Works Week." p. D201
11. HONEYBEES. The Agriculture Committee reported without amendment H. R. 8050, to prohibit the importation of all honeybees of the genus *Apis* in the adult stage except for research purposes by this Department or as the Secretary shall determine (H. Rept. 1477). p. 4392
12. TAXATION; COOPERATIVES. The Rules Committee reported a resolution for the consideration of H. R. 10650, the proposed Revenue Act of 1962, including revisions in tax provisions relative to cooperatives (see Digest 38 for items of interest). p. 4393
13. BANKING. The Banking and Currency Committee reported without amendment H. R. 10162, to amend the Bretton Woods Agreements Act to authorize the U. S. to participate in loans to the International Monetary Fund to strengthen the international monetary system (H. Rept. 1484). p. 4393
14. APPROPRIATIONS. The Appropriations Committee was granted until midnight tonight, Mar. 23, to file a report on the Labor, HEW and related agencies appropriation bill for 1963. p. 4371
15. RETIREMENT. Rep. Olsen discussed his bill H. R. 10706, to amend the Civil Service Retirement Act so as to provide for increases in annuities, eliminate



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 87th CONGRESS, SECOND SESSION

Vol. 108

WASHINGTON, THURSDAY, MARCH 22, 1962

No. 43

House of Representatives

The House met at 12 o'clock noon.
The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Psalm 139: 23: *Search me, O God, and know my heart; try me, and know my thoughts.*

O Thou God of all grace and goodness, we thank Thee for these Lenten days when we feel the urge to search our heart and cast away the spectacles of unreality and pretense.

We are daily being constrained and challenged to look at ourselves, as in a mirror, to see what we are and what we ought to be.

Grant that by exercising and cultivating our faculties of effort and lofty endeavor may we strive to part company with everything that is alien to and incompatible with the attainment of a nobler character of soul.

Give us the faith that never falters, the hope that never yields to despair, and the love that abides forever as we carry on in our quest for the life that is abundant and eternal.

Hear us in His name who is our Lord and Saviour. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

LABOR, AND HEALTH, EDUCATION, AND WELFARE AND RELATED AGENCIES APPROPRIATION BILL, 1963

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tomorrow night to file a report on the Labor, and Health, Education, and Welfare and related agencies appropriation bill for the fiscal year 1963.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. LAIRD reserved all points of order on the bill.

DISTRICT OF COLUMBIA UNEMPLOYMENT COMPENSATION ACT

Mr. JAMES C. DAVIS. Mr. Speaker, I call up the conference report on the bill (H.R. 5968) to amend the District of Columbia Unemployment Compensation Act, as amended, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of March 21, 1962.)

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

IMPROVE FEDERAL RETIREMENT

(Mr. OLSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSEN. Mr. Speaker, I feel retirement should mark the beginning of a well-earned better life for our Federal employees, not an undeserved tougher one.

In this spirit, last week I introduced a bill, H.R. 10706, to bring about some much needed improvements in the Civil Service Retirement Act.

Basically, the bill would provide: An automatic cost-of-living increase for retired Federal employees each year, if the increase exceeds 1 percent; a corresponding increase in the annuities of retired civil servants when currently employed Government workers get a pay raise; stabilization of civil service retirement with social security benefits.

I believe these changes are vital to the strengthening of the current Civil Service Act.

In this rapidly changing world of ours, the value of the dollar has not remained constant. Accordingly, those who depend upon fixed annuities for their income suffer when the value of the dollar decreases.

Without these changes, I feel we are penalizing, rather than rewarding, a Federal employee at his retirement for his long service to his country.

The Honorable JOSEPH CLARK, of Pennsylvania, has introduced the same bill on the Senate side, where I hope it will meet with success.

It is because I feel so strongly about the merits and the justice of the bill that I am now calling it to the attention of the entire Congress.

PERSONAL ANNOUNCEMENT

Mr. GARY. Mr. Speaker, I would like to state for the RECORD that on yesterday I was in Richmond attending a dedication of a new Federal office building in that city and, therefore, missed rollcalls Nos. 42 and 43. Had I been present, I would have voted in the affirmative on rollcall No. 43.

A NATIONAL LOTTERY WOULD MEAN TAX RELIEF FOR MR. AND MRS. TAXPAYER

(Mr. FINO asked and was given permission to address the House for 1 minute.)

Mr. FINO. Mr. Speaker, I wonder how the American taxpayers feel every time predictions are made here in Washington regarding future Federal spending.

I am certain that our taxpayers must have been greatly disturbed when our Budget Director recently estimated that "within a few years" our budget will be \$100 billion. They should have been stunned when another alarming prediction indicated that by 1965 our Federal spending could very well rise to \$125 billion a year.

Mr. Speaker, our heavily burdened taxpayers are entitled to know exactly where they stand. They are entitled to

know what they can expect for the future. As for the President, he has already said a tax cut in the next few years depends on continued prosperity.

None of us, Mr. Speaker, has to be fiscal experts to know that more spending will mean higher taxes and increased debts. In the last year, our national debt has risen to over \$298 billion which figures out to \$17,700 every minute, \$25,888,000 every day and about \$9.4 billion a year in interest charges alone.

Therefore, Mr. Speaker, we can tell our taxpayers to forget whatever hopes or dreams they had about tax relief. We can tell them that the future looks dismal unless, yes, unless this Congress has the guts to face the fiscal facts of life, unless we have the intestinal fortitude to tax a lucrative industry which can produce more than \$10 billion a year in additional revenue.

The American gambling spirit in this country has made this business a \$50 billion a year industry which remains untapped. We can easily, through a national lottery, tap this new source of revenue and pump into our Treasury more than \$10 billion a year in additional income.

Mr. Speaker, as far as our taxpayers are concerned, only through a national lottery can they find an avenue of relief. Only through a national lottery can we raise, voluntarily and painlessly, enough money to provide Mr. and Mrs. American taxpayer with a tax cut and start to reduce our gigantic national debt.

PERSONAL ANNOUNCEMENT

Mr. BATTIN. Mr. Speaker, I was unavoidably absent yesterday. Had I been present, I would have voted "yea" on the military authorization bill.

S. 1969—ADDITIONAL CONFEREES

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the Speaker be authorized to appoint two additional conferees on the part of the House to the conference with the Senate on the bill S. 1969.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. WALTER. Mr. Speaker, reserving the right to object, how many conferees has the Senate?

Mr. HARRIS. I do not know.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. BROWN. Mr. Speaker, reserving the right to object, what was the request? We could not hear it on this side.

The SPEAKER. The gentleman from Arkansas has asked unanimous consent that the Speaker be authorized to appoint two additional conferees in connection with a bill that is now in Congress.

Mr. BROWN. Inasmuch as we had no opportunity to learn what was going on, I withdraw my reservation of objection.

The SPEAKER. Is there objection?

The Chair hears none and appoints the following additional conferees: Messrs. JARMAN and DEVINE.

The Clerk will notify the Senate of the action taken by the House.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce have until midnight Saturday to file a report on the bill H.R. 4999, and that the minority members, if they wish to do so, have until midnight Saturday to file minority views.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. BROWN. Mr. Speaker, reserving the right to object, what is the subject of the legislation?

Mr. HARRIS. It is a report by the Committee on Interstate and Foreign Commerce in connection with construction aid for medical and dental schools, and so forth.

Mr. BROWN. I thank the gentleman and I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

COMMITTEE ON DISTRICT OF COLUMBIA

Mr. ALBERT. Mr. Speaker, on behalf of the gentleman from South Carolina [Mr. McMILLAN] I ask unanimous consent that the Committee on the District of Columbia have until midnight tomorrow to file a report on the bill H.R. 10573, to grant the American Numismatic Association perpetual succession.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

ITEMIZED EXPENSE ACCOUNTS OF MEMBERS TRAVELING ABROAD

(Mr. GROSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GROSS. Mr. Speaker, since the plugging of loopholes seems to be the order of the day I have today introduced a bill to plug and eliminate a couple of loopholes dealing with the expense accounts of Members of Congress who go on foreign junkets.

The bill I have introduced today would compel those who take foreign junkets to itemize their miscellaneous expenses and would provide that they also report in the CONGRESSIONAL RECORD how many days they are junketing outside of this country.

I hope to have the unanimous support of the Members of the House if and when this bill comes to the floor.

FILING OF REPORTS BY COMMITTEE ON RULES

Mr. TRIMBLE. Mr. Speaker, by direction of the Committee on Rules, I ask unanimous consent that the committee may have until midnight Saturday to file sundry reports.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

PARTICIPATION IN 1962 FEED GRAIN PROGRAM

Mr. TRIMBLE. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution—House Resolution 572—and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2533), a bill to amend the requirements for participation in the 1962 feed grain program. After general debate, which shall be confined to the bill, and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. TRIMBLE. Mr. Speaker, House Resolution 572 provides for the consideration of S. 2533, a bill to amend subsection (d) of section 16 of the Soil Conservation and Domestic Allotment Act, as amended. The resolution provides for an open rule with 1 hour of general debate.

The purpose of S. 2533 is to permit wheat farmers in the summer fallow wheat area who also produce feed grains to participate in both the wheat and the feed grain reduction program for 1962 on an equitable basis.

In areas where wheat is planted on a summer fallow rotation, land had already been fallowed in preparation for seeding wheat before the enactment of the 1962 wheat program, which requires a reduction of 10 per cent in wheat acreage. Unless the land which has been fallowed this year is seeded to a cover crop this fall, it is subject to serious wind erosion. In much of this summer fallow area, farmers also produce feed grains, chiefly grain sorghums, which are planted in the spring. The bill will permit a farmer who produces both wheat and grain sorghum and who wants to participate both in the wheat reduction and the feed grain reduction programs for 1962 to plant his acreage which has been prepared for wheat but cannot be planted to wheat this fall in barley and to count that as part of his feed grain

planting for 1962, in lieu of the feed grain which would normally be planted next spring.

Mr. Speaker, I urge the adoption of House Resolution 572.

Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. Brown] and reserve the balance of my time.

Mr. BROWN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I ask unanimous consent to speak out of order and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROWN. Mr. Speaker, I am following the rather unusual procedure of taking part of the time that is allotted to me as ranking member of the Committee on Rules to speak out of order on a matter which I, and the members of the Ohio Republican delegation believe is of the utmost importance, not only to our own State, but also to the people and the governments of every State in the Union, and to all the employers and employees throughout the Nation who may be covered by various State unemployment compensation laws.

I have been requested and instructed by my delegation to bring this matter, which I believe is a very serious one, to the attention of the House of Representatives, and through this forum to the attention of other Federal officials.

The U.S. Department of Labor has threatened to cut off \$17 million which it annually grants to the Ohio Bureau of Unemployment Compensation unless the bureau's appellate tribunal agrees to change two of its procedural rules. This \$17 million, derived entirely from the \$30 million annually contributed by Ohio employers, is used by the bureau to administer Ohio's statewide employment security program. If Washington makes good on its threat, Ohio's \$200 million annual program to aid the unemployed will grind to a halt.

The board of review, operating under laws passed by the Ohio Legislature, formulates rules of procedure for the orderly disposal of cases before it. In 1959, the board after holding public hearings published a new set of rules in accordance with legislation enacted by the legislature in that year. The Federal Labor Department failed to make timely objection to those rules at the public hearings. But, shortly thereafter, it began to barrage the board of review with suggestions for rule changes on the ground that the present rules did not afford a claimant a "fair" hearing as required by Federal law. These requests rather amazed the board since it had disposed of hundreds of thousands of cases over its 22-year reign without one complaint of procedural denial of a fair hearing. Therefore, the board urged that it defer any rule changes for the time being unless the Labor Department considered them absolutely necessary.

Washington's initial response to this request was to assure the board that it was merely seeking clarity of the board's operations. But, attempts to satisfy the Department only proved partially successful.

As time passed, the Department became increasingly insistent that the board make 10 changes in its rules. The fact that these changes were not authorized by Ohio law or were already incorporated into the board's practice did not deter the Federal's demand.

Finally, after additional meetings and correspondence, the Department of Labor told the board that unless the changes were immediately made, the grant of funds to administer the State's program would be cut off. Efforts to modify this demand until the legislature next met in its 1961 session met to no avail.

Having no alternative, the board scheduled a new public hearing and promulgated the 10 rule changes albeit many objections were raised by attorneys who regularly practiced before the board.

Following these changes, suit was brought in the Court of Common Pleas, Franklin County, to set six of the rule changes aside as being in contravention of Ohio law. In his decision of October 1961, Judge Draper ruled that four of the changes were valid, but that two went beyond the State statutes.

The Department of Labor is not satisfied with the result however. As late as March 6 of this year, it has informed the members of the board that the Labor Department will discontinue paying the State's grant unless the two rules are put into effect.

The result of this fiasco is that the State of Ohio presently faces an impossible situation. If it fails to comply with Washington's mandate, it will have to close down its unemployment compensation program. But if it does comply, it places the board of review in the position of being in contempt of the Franklin County court's decision.

Mr. McCULLOCH. Mr. Speaker, will the gentleman yield?

Mr. BROWN. I yield to the gentleman from Ohio [Mr. McCulloch] who for many years was speaker of the Ohio State House of Representatives.

Mr. McCULLOCH. I thank the gentleman from Ohio. Has the State of Ohio ever been penalized for failing or refusing to adopt a rule by a Federal agency, and, if so, when and what was it and in what amount were we penalized and when were we paid back, if ever?

Mr. BROWN. I believe at one time, a number of years ago, a Mr. Hopkins, who held an official position, or some sort of a position, here in Washington, refused to give the State of Ohio some \$2 million due it from a Democratic administration. Ohio is now under a Democratic State administration, by the way, so there is nothing partisan about this matter. But, despite the efforts of the State of Ohio, despite a law passed by the Congress ordering that this \$2 million be paid to the State, which it was entitled to under law, the money was never forthcoming. I do not remember the exact year, but it was back in the administration of President Roosevelt.

Mr. McCULLOCH. Martin L. Davey, a former Member of this body, was Governor of the State of Ohio at the time, and he stood against the bureaucratic

orders issued from Washington, and Ohio was penalized.

Will the gentleman yield for one further question?

Mr. BROWN. Yes.

Mr. McCULLOCH. Would the gentleman please tell the House for what purpose that money would have been used had Ohio received its lawful allocation?

Mr. BROWN. That money would have gone for aid to the aged at that time.

Mr. McCULLOCH. That is right.

Mr. BROWN. It was for the benefit of the needy aged.

Mr. McCULLOCH. Sometimes called old age pension benefits.

Mr. BROWN. That is right. But, Ohio never has received that money despite the fact the Congress took action by law ordering it be paid.

Mr. McCULLOCH. Will the gentleman yield for one more question?

Mr. BROWN. Certainly.

Mr. McCULLOCH. Does the gentleman feel that this is a pattern in a course of action by which the Federal Government is attempting to and is from time to time assuming jurisdiction in State affairs to the detriment of the State?

Mr. BROWN. I certainly agree with the gentleman wholeheartedly. I think it is another one of these grasps for power we see so continuously exercised by the bureaucracy here in the great Central Government of Washington.

Of course, I want to point out, as I attempted to do originally in my statement, that this is not just an Ohio matter. If this can be done in the case of Ohio, it can be done as far as the unemployment compensation agencies of every State in the Union are concerned.

Mr. McCULLOCH. Would the gentleman yield for one more question?

Mr. BROWN. Yes; I yield.

Mr. McCULLOCH. Is the gentleman aware of the fact that the Department of Health, Education, and Welfare, in the immediate past put this very same kind of pressure on the State of Michigan, and possibly on the State of Louisiana?

Mr. BROWN. I do not have detailed information on it, but I have been told that that same action is taking place through a different agency of Government, the Department of Health, Education, and Welfare, in a situation affecting Michigan.

I have taken this time to discuss this matter because, as I said a moment ago, it is of such great importance to every State in the Union, as well as Ohio. Sooner or later each Member of the House will be up against this same proposition.

Mr. Speaker, I shall conclude my remarks before I yield to the gentleman from Ohio [Mr. Harsha], by presenting a memorandum to the House which will substantiate, section by section, the laws and the situations I have described here as far as this particular matter is concerned.

The memorandum referred to follows:

Section 303(a)(1) of the Social Security Act requires that a State's unemployment compensation law include provisions for: "Such methods of administration * * * as are found by the Secretary of Labor to be reasonably calculated to insure full payment

of unemployment compensation when due."

Section 303(a) (3) of this act provides that a State's unemployment compensation law include provision for: "Opportunity for a fair hearing, before an impartial tribunal, for all individuals whose claims for unemployment compensation are denied."

The above two sections are the sole legal provisions that have been relied upon by the Department of Labor in threatening to withhold administrative grants to the State of Ohio for use in administering its \$200 million unemployment compensation program.

Employers within the State of Ohio pay \$30 million to the Federal Government every year for the administration of the program. Of this, \$17 million is returned annually to the State unemployment compensation administration for the administration of the program. It is this \$17 million annual grant which the Department of Labor now threatens to withhold if the board of review for unemployment compensation in Ohio fails to adopt two procedural rules.

The Ohio unemployment compensation administration has been in operation for over 22 years. During this time, hundreds of thousands of cases have been decided by the board of review without one complaint being filed that the board's procedure denied an opportunity for a fair hearing. In the past 5 years alone, the board has disposed of 95,684 cases without a complaint. The Department of Labor itself admits the accuracy of these statements and indicates that its threatened action is only based on a hypothetical situation which might occur in the future. Furthermore, to the best of the Ohio board's knowledge, the action being threatened Ohio is not being threatened against any other State in the Union, although it is believed many other States have existing provisions which the Department of Labor has found objectionable in Ohio.

The Ohio board of review held public hearings on October 5, 1959, to promulgate proposed rule changes in its procedure in conformance with statutory changes made in the law by the Ohio Legislature during its 1959 session. The Department of Labor was notified 30 days in advance of these hearings, but failed to make any comments or issue any objections until a few minutes prior to the opening of the hearings. Since it was mandatory that the board certify the new rules to the Secretary of State on the following day in order to have them go into effect on October 16, 1959 (the effective date of the new legislation), the Labor Department's comments could not be carefully considered.

Thereafter, on October 16, 1959—the day the new rules became effective—the regional director of the Bureau of Employment Security, U.S. Department of Labor, wrote the chairman of the Ohio board a lengthy letter. In this letter, he mentioned 17 items within the board's rules which were found to be objectionable. He requested that the board chairman comment upon these items so as to assure the Department of Labor that they were not being used to deny a claimant a fair hearing. In addition, this letter contained suggested changes in some of the board's existing rules. The majority of these proposed rule changes, it may be added, were quite trivial in nature. None went to the substance of the grant of unemployment compensation and only a few could reasonably be considered of procedural importance.

In response, the board stated that since it had already held public hearings and promulgated new rules, it did not wish to make any additional changes at that time unless the Labor Department considered it absolutely necessary.

Following this response, the Department of Labor sent a number of additional letters to the board and held personal conferences both in Cleveland and in Washington with the board chairman. Initially, the Labor

Department indicated that it had no intention of making the board introduce new rule changes—that it was only seeking the board's comments. But, as the months passed, the Department became more insistent that changes be made. In the process of becoming more insistent, it continued to barrage the board with lengthy suggestions as to how its rules should be changed.

In June 1960, the department informed the board that it should change the rules when the legislature next met in 1961.

In August, 1960, the Under Secretary of Labor approved the grant of administrative funds to Ohio for the following quarter provided that the board changed one of its rules. This was the only rule, it may be added, that the Under Secretary found objectionable.

In September 1960, the department requested that 10 rule changes be made in order for Ohio to qualify for further grants. By this time the board had satisfied the Department that the other seven items, as formerly proposed by the Department, were already covered by existing rules.

In November 1960, the Department told the board that it was necessary to initiate the 10 rule changes promptly if Ohio were to continue to receive administrative grants.

In December 1960, the chairman of the board informed the Department of Labor that it was prepared to make the rule changes. The chairman suggested, however, that the scheduling of the public hearing to discuss the changes, as required under Ohio's Administrative Procedure Act, be postponed until after the legislature met in its 1961 session.

In February 1961, the Department of Labor informed the board that it would be appropriate to delay the rules revision until after the action by the legislature had been made clear.

On May 1, 1961, the Secretary of Labor approved the following recommendation directed to the board by the Labor Department's regional director:

"In view of the possibility of legislative action and the board's need for time to make any revisions necessitated thereby, we recommend that the administrative grants for Ohio for the current quarter not be withheld but that the State be advised that we expect that the State will initiate its procedures for revising the rules of the board of review by the issuance of a notice of public hearing on the proposed rules before the end of June."

The effect of this ultimatum was modified, however, at the end of this letter by the regional director stating that public hearings should be held before the end of June if it became apparent that the legislature did not intend to take any action.

Then, on May 15, 1961, the Department in a letter to the board changed the conditional language contained in its May 1 letter to read as follows:

"We interpreted the Secretary's action to mean that we expect the board to issue notice of public hearings as soon as the results of legislative action can be ascertained, but in no event later than the end of June."

In a letter of June 22, 1961, the board chairman informed the Department of Labor that the Ohio House had passed certain bills containing changes in the State's unemployment compensation laws. The matter was pending in the Senate, he indicated, and the results should be known soon since the legislature planned to adjourn at the end of the week. Moreover, the Governor had only 10 days to act upon such legislation after its passage. The chairman then suggested that the proposed public hearings be postponed a short while until the action of the legislature became apparent.

The following day, June 23, 1961, the Department of Labor instructed the board to "proceed as originally planned with the June

30 call for a public hearing on the known pending changes."

On June 30, 1961, the board met and issued notice for a public hearing to be held on August 7, 1961.

On July 7, 1961, the Department of Labor forwarded a "Notice of Grant" for funds for the month of July. This notice contained the following warning:

"This grant has been made for July 1961, pending fulfillment by the Ohio board of review of its agreement to issue a notice of hearing as the initial step to amend its rules to meet the requirements (of the Social Security Act). Further grants will depend upon the progress made in adopting the necessary amendments."

Then, on August 2, 1961, the Labor Department informed the board that "action has been taken to release an additional grant of administrative funds for the month of August pending completion of necessary rules revisions." The letter went on to state: "Accordingly, we are instructed to advise you that this Department will expect prompt action following the public hearing so that the outstanding conformity questions may be resolved before the end of August 1961."

On August 7, 1961, the board conducted the public hearings, as demanded by the Department of Labor, and adopted all 10 rule changes as required by the Department. As will be seen, the majority of the rules were highly insignificant and could not be considered to deny a claimant a fair hearing under any stretch of the imagination.

At the hearings, 6 of the 10 proposed changes were objected to by outside counsel. When the board, under compulsion, promulgated all the rules in fear of facing a cutoff of funds, a taxpayer brought suit in the court of common pleas, Franklin County, Ohio, to have these six rules declared invalid. The other four rules, it may be added, which were not objected to involved: (1) permitting the referee to reopen a hearing if the appellee could demonstrate good cause for his failure to have appeared at the original hearing before the referee; (2) the deletion of the word "remand" and the substitution of other language to make it clear that a hearing by a referee on remand by the board of review would be a full hearing; (3) making clear that the board must keep a complete record of all proceedings before it (although the board had always done so in the past), and (4) permitting a party to request or allowing a referee or the board on its own motion to issue subpoenas in less than 5 days before a hearing for good cause shown (although the board and referees had always followed this practice).

The six rules that the court of common pleas had before it and the court's ruling on each are as follows:

1. The removal of the requirement that an applicant who seeks review of a referee's decision must state his reasons for the review. (The court held that the legislature never intended to prohibit an applicant's appeal for failure to state reasons thereof. The rule was therefore declared valid.)

2. The promulgation of a new rule permitting an interested party to challenge the interest of a board member. (The court held this rule to be invalid since the Ohio statute deliberately requires one member to represent labor, one employers, and one the public. Since each member is supposed to represent a particular interest, the right to challenge would make the board inoperative—especially since Ohio law does not provide for the appointment of alternate members. Furthermore, Ohio law permits the Governor to remove a member for misfeasance or malfeasance of office, while a court on appeal may reverse a decision if partiality is shown. Such partiality, by the way, has never been raised against a board member).

3. Permit an interested party to cross-examine all adverse parties whether they are normally required to attend the hearings or not and to cross-examine in connection with the evidence and testimony introduced at a hearing. (It was the position of the board that this was a bad rule since it would tend to make a hearing far more complicated than it was originally intended and that it would require a claimant or other interested party to be subpoenaed although Ohio law specifically exempted such individuals from the necessity if they so chose, to be present at the hearing. In addition, the board pointed out that it was the Department of Labor itself which 2 years previously had insisted upon the rule change so that only persons "present at the hearing" could be cross-examined. This was instituted so that a claimant need not appeal at a hearing if he did not wish to. Now, at the 1961 hearing, the Department of Labor changed its position and requested that the phrase be removed. Needless to say, the board had to go along in order to avoid having the funds cut off. The court held that the rule was valid on the ground that a fair hearing should embrace the right to subject every facet of the hearing to the scrutiny of cross-examination).

4. (a) The removal of the requirement that an applicant seeking an appeal of a referee's decision was required to state the reasons for introducing additional evidence on appeal which he had not introduced before the referee; (b) the reopening of a hearing by a referee if the appellee for good cause shown had failed to appear at the original hearing. (The court held the rule valid since it did not detract from a fair and impartial hearing, did not place additional burdens on any parties, and did not deprive any party of any right. It might be said, however, that the court ruled in favor of 4(b), although Ohio law was changed in 1959 to delete the right on the ground that it unduly delayed the adjudication of the cases.)

5. The requirement that the board reopen a hearing at the appeal level if the appellee for good cause shown had failed to appear at the original appellate hearing. (The court held this invalid since it could delay the final adjudication interminably, it would require a hearing de novo, and it would permit the appellee to demand a reopening even though he had already had a hearing before the referee.)

6. (a) The removal of the requirement that an interested party who desires to inspect the unemployment compensation records must include in his application the class of information to be examined and the reasons for same; (b) also to include provision that such records may be inspected by an interested party at the time and place of the hearing. (The board objected to this rule because it had always made the records available at the hearing and because the elimination of the requirement for stating the reasons for examining the records would permit the examination for improper purposes—not related to the hearing. Nevertheless, the board was forced to promulgate the rule in order to satisfy the Department of Labor. The court, in turn, found the rule change to be valid.)

Thus, out of the 17 proposed rule changes originally urged upon the board of review, all but two were incorporated into the board's procedures. The two that failed to be incorporated were not the fault of the board, however. As was seen, the court of common pleas declared these to be invalid under Ohio law.

Did this action satisfy the Department of Labor? It did not. On January 26, 1962, the Department wrote the board, as follows:

"As to the remaining two [rules], which were broader in scope than necessary to meet

the requirements of the Social Security Act, the problems are again brought forward unless substitute rules are adopted which will at the same time conform to the decision of the Court and to the requirements for certification under the Social Security Act."

What the Department of Labor is saying here is that the two rules that the court declared invalid need not have been drawn so broadly by the board. This was said, it is to be remembered, by the same Department which encouraged and approved the two proposals that eventually were declared invalid. In regard to the first rule, the Department stated that the rule should be redrawn so that it would only apply to appellees who had not had a hearing before a referee below. With respect to the second rule, the Department indicated that challenges to the interests of a board member could be limited to situations in which the member has "an interest in the controversy" immediately under consideration.

The Department concluded this letter of January 26 with the following admonition: "Since the next grant certification period will be near the end of March 1962, it would be desirable for the board to take action as soon as possible." During a conference on March 9, 1962, the Department repeated the warning by indicating that unless the two rules were adopted as it proposed, the Department would hold up the funds.

Thus, it may be asked what is the board to do? If it promulgates the two rules as ordered by the Department it places itself in possible contempt of the court of common pleas. If it does not promulgate the rules the \$200 million a year unemployment compensation program in Ohio may grind to a halt. This is particularly so, since short of seeking a Federal court injunction, there are no rules or regulations within the Department of Labor which permit the Ohio board to appeal an internal decision of the Department to the Secretary of Labor or to the courts.

Mr. HARSHA. Mr. Speaker, will the gentleman yield?

Mr. BROWN. I yield to the gentleman.

Mr. HARSHA. Would the gentleman answer this question, please? If this precedent is not stopped or quashed right now is this a precedent that could be established in programs such as Federal aid to elementary or secondary education, no matter how cleverly the initial legislation may be drafted?

In other words, could rules and regulations be adopted to bring about such a situation with reference to Federal aid to elementary or secondary education?

Mr. BROWN. I will say to my colleague that this same type of an operation, this same type of bureaucratic blackmail, if you want to call it that, because that is all it is, against a State or of an educational institution, or of any other agency or government, whether it be State, or city, or county, could be used, of course, not only in the field of education but in every other field of activity with which the Federal Government has any connection whatsoever, even though the law definitely says that it comes under State and local jurisdiction only.

Mr. HARSHA. Would the gentleman yield further?

Mr. BROWN. I do.

Mr. HARSHA. Would the gentleman agree also that if local and State governments are to have any autonomy at

all that this precedent must be stopped forthwith?

Mr. BROWN. It is my opinion, sir, that unless the Congress takes some definite stand, and unless the States take some definite stand against these kinds of threats and blackmail tactics on the part of Federal bureaus, agencies, and departments, that in the end, of course, all State rights, and all local rights, will go down the drain, so, in the end, of course, we will have complete control of all local State activities through the Central Government here in Washington.

Mr. McCULLOCH. Mr. Speaker, will the gentleman yield?

Mr. BROWN. I yield to the gentleman.

Mr. McCULLOCH. And, when that time comes and when the State and local governments are paralyzed, we will no longer have the Federal system which has been the greatest government known to mankind, will we?

Mr. BROWN. That is correct. Of course, what it does is to continue and stimulate these efforts to destroy State and local rights. I think every Member of this Congress, and every State in this Union, should be interested in what is going on in this particular Ohio case, as an example of what can and will eventually happen to them.

Mr. ASHBROOK. Mr. Speaker, will the gentleman yield?

Mr. BROWN. I yield to the gentleman from Ohio.

Mr. ASHBROOK. The gentleman certainly knows if we go down the line that is being advocated in the bill which is coming up supposedly to help unemployment compensation in this country, the so-called King bill, we will probably find all of the other States in the Union knuckling under even further to Federal regulations. In the State of Ohio, for example, we have the regulation that one is not allowed to come under unemployment compensation unless one is actually out of work and is available for work. If we continue the trend which the gentleman is so ably pointing out, sooner or later the Federal Government will be telling Ohio that it cannot set up these restrictions.

Mr. BROWN. Of course, if the Department of Labor can tell Ohio what it must do in this particular field, where the Ohio law and the Ohio courts have already acted, as they are authorized to do by Federal law, then, of course, Federal agencies can do anything they want in connection with the amounts which may be paid for unemployment compensation, or the persons who may receive them, or anything else, under the threat they will cut off the return to the States of moneys their citizens have paid in to the Federal Treasury. This is not money that belongs to anybody else but the State of Ohio. The fact of the matter is that Ohio employers have paid in twice as much, in these taxes, as the Federal Government sends back for unemployment compensation administrative purposes only.

Mr. ASHBROOK. The gentleman is completely correct. I certainly want to associate myself with him in his re-

marks and commend him for pointing this out. It certainly is a signal that we should be looking at and consider, lest we go further down the path of even more Federal control.

Mr. BROWN. I thank the gentleman very much.

Mr. McCULLOCH. Mr. Speaker, will the gentleman yield further to me?

Mr. BROWN. I yield to the gentleman from Ohio.

Mr. McCULLOCH. Mr. Speaker, I was particularly pleased to note the gentleman from Ohio remark that this was not a partisan political matter. I am sure the gentleman from Ohio knows that the senior Senator from Ohio is much concerned about and has spoken out against the tentative order of the Federal Department of Labor, in this case.

Mr. BROWN. The senior Senator from Ohio, of course, of the opposite political party to mine, was five times the Governor of the State of Ohio, elected as Governor more often than any other individual in our State's history. He knows the effect of this order, and, of course, is opposed to it. I do not know of a single individual, attorney, or otherwise, who has read and studied this action in Ohio and this threat made by the Department of Labor, who does not insist that it is completely wrong, it is illegal, it is morally improper, and is a violation of concepts of good government and endangers unemployment compensation administration on a sound basis everywhere.

Mr. Speaker, I reserve the balance of my time.

GENERAL LEAVE TO EXTEND

Mr. BROWN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject which I just discussed on the floor, the unemployment compensation situation in the State of Ohio.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, because of an unwarranted demand by the U.S. Department of Labor for two procedural rule changes on the part of the Ohio Board of Review for Unemployment Compensation, there is a grave danger that Ohio's \$200 million annual program to aid the unemployed will be stopped. This results from the Department's threat to cut off \$17 million which it grants annually to the Ohio Bureau of Unemployment Compensation to administer Ohio's statewide employment security program. This \$17 million is derived entirely from the \$30 million employers, within the State of Ohio, pay to the Federal Government for the administration of the program.

The Board of Review for Unemployment Compensation, operating under laws passed by the Ohio Legislature, formulates rules of procedure for the orderly disposal of cases before it. In 1959, the board after holding public hearings published a new set of rules in accordance with legislation enacted by the leg-

islature in that year. The Federal Labor Department failed to make timely objection to those rules at the public hearings. But, shortly thereafter, it began to barrage the board of review with suggestions for rules changes on the ground that the present rules did not afford a claimant a "fair" hearing as required by Federal law.

This was rather amazing to all persons familiar with the operations of the board. The Ohio Unemployment Compensation Administration has been in operation for over 22 years. During this time hundreds of thousands of cases have been decided by the board of review without one complaint being filed that the board's procedure denied an opportunity for a fair hearing. In the past 5 years alone, the board has disposed of 95,684 cases without a complaint.

Nevertheless, in 1961 the board of review scheduled a new public hearing and promulgated 10 rule changes suggested by the Department of Labor. At the hearing many objections were raised by attorneys who regularly practiced before the board.

Following these changes, suit was brought by an Ohio taxpayer in the court of common pleas, Franklin County, Ohio, to set six of the rule changes aside as being in contravention of Ohio law. In his decision of October 1961, Judge Draper ruled that four of the changes were valid, but that two went beyond the State statutes.

However, the Department of Labor is not satisfied with the result. As late as March 6 of this year it has informed the members of the board that the Labor Department will discontinue paying the State's grant unless the two rules are put into effect. The result of this fiasco is that the State of Ohio presently faces an impossible situation. If it fails to comply with Washington's mandate, it will have to close down its unemployment compensation program. But if it does comply, it places the board of review in the position of being in contempt of the Franklin County court's decision.

The Department of Labor has admitted the accuracy of the statements that in its 22 years of existence, no complaint has ever been filed that the board's procedure denied an opportunity for a fair hearing. Instead, the Labor Department indicates that its threatened action is based only on a hypothetical situation which might occur in the future. Furthermore, to the best of the Ohio board's knowledge, the action being threatened against Ohio is not being threatened against any other State in the Union, although it is believed many other States have existing provisions which the Department of Labor has found objectionable in Ohio.

I urge the Department of Labor to reconsider their decision in the light of all the facts and not penalize the great State of Ohio until it has been proven to be guilty of some overt act justifying such action. The record certainly does not show that it is guilty. The board of review has a wonderful record of extreme fairness in the more than 200,000 cases it has decided.

Mr. BROWN. Mr. Speaker, I yield the remaining time to the gentleman from Kansas [Mr. AVERY].

Mr. AVERY. Mr. Speaker, and Members of the House, I will not consume the 11 minutes.

It would seem appropriate that the attention of the House should be directed back to the pending matter of business and that is, of course, House Resolution 572 which makes in order the consideration of a bill from the Committee on Agriculture, the Senate bill, S. 2533. I would merely point out further, Mr. Speaker, that this bill should not be construed as authorizing or bestowing any special benefit on any special area or to any special group of farmers. It merely provides that, due to the lateness in the passage of the wheat program for 1963, farmers in the Great Plains area who planted winter barley as a cover crop on some wheat ground to prevent wind erosion may harvest that barley under certain conditions.

Perhaps you can remember back during the Dust Bowl days, the great devastation that took place in the high plains area in the spring of the year when the ground was not covered with some kind of vegetation that would prevent this wind erosion. The farmers this year went ahead and planted barley for a cover crop on ground retired from wheat production under the 1961 Act. This bill merely provides that they may proceed to harvest the barley since they went to the expense of planting it and preparing the ground. But they must take from their feed grain allotment for this one year the number of acres that will be harvested from this fall planted barley. It is just as simple as that. It will not cost the Department of Agriculture anything, in my opinion. It will not increase the feed grain supply by any measurable amount of bushels at all. So I certainly urge the adoption of the rule and favorable consideration of the bill. I do not know why there has been so much delay and why this failed once under suspension of the rules and failed once on the Consent Calendar. But I am sure if the Members of the House fully understood the provisions of this bill, they would be as enthusiastic in its support as is the gentleman in the well and the other Members of the delegation who are urging you to act favorably on this bill today.

Mr. BECKER. Mr. Speaker, will the gentleman yield?

Mr. AVERY. I now yield to my friend, the gentleman from New York, who I am sure has had time to more fully understand the provisions and the intent of this legislation.

Mr. BECKER. I might say to the gentleman, I have had considerable time since last year to try to understand this legislation. But I think when we get into debates on farm bills, I do not find anybody who understands it, with all the years that they have been here.

First, I would like to ask you a simple question and I am asking you as a member of the Rules Committee now and I know you will give me a straightforward answer. And this was not answered last year. Will this process of this change

you are making in this bill add anything to the cost of the price supports or the land going into the soil bank or the change from barley to wheat and vice versa? Will this cost any more money?

Mr. AVERY. The answer is "No." If this land goes in, some other land has to come out. It is merely just an exchange of acres.

Mr. BECKER. I might say to the gentleman, I have not had a chance to read this report entirely, but I will read it within the next few minutes because the report last year contained considerable doubletalk as to the additional costs that might be involved in this program.

Mr. AVERY. Since the gentleman from New York has brought up the subject of the Rules Committee, I would like to remind him that there was a bill up there this morning seeking an authorization to the city of New York for a repayment of \$3 million alleged to be the cost of extra police protection needed during the 15th Assembly of the United Nations in the fall of 1960.

The Rules Committee in their generosity, and only in their generosity, and further due to the persuasion of the gentlewoman from New York [Mrs. KELLY], granted a rule on that bill. I can assure the gentleman that the cost of this bill would not amount to one-half of 1 percent of the cost of the bill for the relief of the city of New York.

Mr. BECKER. I do not know why the gentleman calls to my attention the bill for the relief of the city of New York to take care of part of the United Nations expenses, for I do not represent the city of New York and am not involved with the taxes of the city of New York. I represent suburban areas.

Mr. AVERY. I do not represent the farmers largely covered by this bill, but I consider it in the public interest, as did the Rules Committee when it granted a bill for the relief of the city of New York.

Mr. BECKER. I would say that the gentleman always has the public interest at heart.

Mr. AVERY. I could not disagree with the gentleman.

Mr. Speaker, I yield back the balance of my time.

Mr. TRIMBLE. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

Mr. POAGE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2533) to amend the requirements for participation in the 1962 feed grain program.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 2533, with Mr. HALEY in the chair.

The Clerk read the title of the bill.

By unanimous consent the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Texas [Mr. POAGE] will be recognized for 30 minutes and the gentleman from Minnesota [Mr. QUIEL] for 30 minutes.

The gentleman from Texas is recognized.

Mr. POAGE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this bill relates to a rather complicated and rather technical exchange of acres which normally would be devoted to wheat and which under the act of 1961 must be retired, but which under this bill can be devoted to barley. It is effective by its terms only in those areas where "summer fallow" is a common farming practice. I think that in order to understand the bill the membership should understand something about the practice of summer fallowing, and while I do not live in a summer fallow area, so that we can all understand what it is I will try to explain it.

In those areas where rainfall is very slight, where they need 2 years' rainfall to make 1 year's crop it becomes necessary to leave a portion of the land out of cultivation each year. To "fallow" that land normally means to keep it pulverized, and keep the weeds down so that whatever moisture does fall is retained in the land.

The common practice in most of this area is to sow wheat on approximately half of the cultivated land and to fallow the other half of the land, or to plant part of the land in feed grains and part in wheat and to fallow a portion of the land. This bill is applicable only on farms which grow both wheat and feed grains.

I think, therefore, that we might understand this fallow situation if we would assume that we have a farm of, let us say, a section of land—640 acres. We will assume that the farmer has had a wheat allotment of approximately 200 acres of this 640 acres. In some places he is growing feed grain, and this bill will be effective only where he has both a feed grain and a wheat allotment. In some areas he will grow only wheat and fallow the remainder of his land. In other areas he will grow some feed grain as well as wheat. In such a case this bill will be important, so let us follow our one section farmer. In addition to his 200 acres of wheat history he has, we will assume, been growing another 200 acres of feed grain, leaving some 240 acres of fallow land and land around the house. Every farm, of course, has some land that is not actually occupied in crops.

In many of those areas the man has been planting 200 acres of wheat. Under the law as this Congress passed it late last fall, this man must make a reduction of 10 percent or 20 acres of his wheat land out of production. That must be left out of production under the law as it was passed by this Congress. If he is to participate in the feed grain program, he must retire at least 20 percent or 40 acres of his feed grain land. In other words, he would have to have at least 60 acres of his total grain lands—that is wheat and feed grain land—out of production in order to be in compliance on his feed grain and on his wheat.

Now, let us understand this fallow situation. This farmer has probably fallowed this 200 acres that he planned

on planting in wheat. That certainly is the normal practice. He would have had this land laying out last year. He would have cultivated it probably with a one-way plow. He would have kept all plant growth off of it. He would have it pulverized ready to plant in wheat in the fall of the year. Normally that land would all be planted in wheat. There would be a cover on it during the winter which would prevent blowing. But when he finds that he cannot plant but 180 acres of wheat—and that is the present law—he has 20 acres that was prepared for planting on which he has prepared his seed bed, a situation which will invite blowing of the most destructive nature. If he leaves this 20 acres laying out without putting anything on it, the winter and spring winds are almost certain to cause severe wind damage on that land. But looking beyond this one farm; when started over a wide area this blowing results in your dust storms and finally results in your dust bowl, a situation of dire consequence to the whole Nation, and one which certainly involves the welfare of the whole Nation.

So we need a cover on this 20 acres. How does the farmer go about getting a ground cover? He normally would plant barley on that 20 acres because in that area barley is the only crop which will stand the winter and at the same time produce a crop, other than wheat. You may ask, Why can he not plant wheat? He can plant wheat and plow it up. But the committee did not think that plowing up wheat was a very intelligent procedure to require.

Neither do we think it is intelligent to ask him to plow up the barley. On the other hand, it is important that he not be allowed to increase the total feed grains to be produced from that section of land.

So, we turn now to the feed grain section of this farm. We find that he is growing normally some 200 acres of feed grain and that he must lay out 40 acres of feed grain to comply with the feed grain program. We say, "Mr. Farmer, if you do plant this 20 acres in barley under the terms of this bill, we allow you to come over onto your feed grain land and take out an additional 20 acres here, which you will not be allowed to plant in anything during the year 1962. When you have done that we will not hold that you are in violation of the regulations for having planted this 20 acres which you took out of your wheat allotment. But, you have got to take the same number of acres out of that feed grain base which you planted in barley on your retired wheat acres. You cannot increase the total number of acres you plant to feed grains."

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Oklahoma.

Mr. ALBERT. It really amounts to transferring a spring feed crop to a fall crop.

Mr. POAGE. That is exactly what it amounts to, and the reason for it is to prevent serious blowing of the land. The winter and early spring account for most

of the serious wind damage of unprotected land.

Now I call your attention to the fact that we have here 240 acres of fallow land. You say, Why does not that land blow just as the land which is retired from wheat? Why does it make any difference whether this is out of your wheat land or out of your fallow land? The difference is this, my friends. This was his wheatland last year. In the rotation of this farm program, this was the wheatland last year. It is left with stubble on it; it is not disked up; it is not prepared for a seedbed in the fall. That land will not blow nearly so readily as this land which was prepared for seeding later on in the fall. That is the difference between the two pieces of land, and that is a rather important difference.

Under the normal fallow situation the farmer leaves the stubble of the previous year's crop to protect that land throughout the winter season, so the place where he has to put a green vegetative cover on is on the land which was prepared for the seedbed. Remember that he prepared this 200 acres in good faith last summer, because at the time he prepared it the law allowed him to plant 200 acres to wheat, which it does not allow today. The law makes it impossible for him to put a green coverage on this land as he had planned, so we say by this bill, "Go ahead and put the best cover on that you can, barley, but do not increase the sum total of your grain production, because if you are going to take advantage of the terms of this bill, you must reduce your feed grain acres next summer by the same amount that you increased them during the winter."

Now, actually—of course, it varies from farm to farm—but on the average actually he is going to grow more tonnage or poundage of feed during the summer period on this feed grain land than he is going to grow during the winter period on this barley. You can understand that there is more growth and a larger production during the summer than during the winter, and probably we are going to wind up with less and not more total feed grain produced as the result of this authority to transfer from a summer feed to a winter feed, and all that this bill does, is to authorize that kind of transfer. It does not authorize an additional acre in grain.

It keeps your acreage just as low as it has been. I think it is clear that it will probably result in some slight reduction in the total production of these feed grains. It cannot cost the Government one penny. There are no additional payments to be made as a result of this program. It seems to me, and it seemed to the Committee on Agriculture, that it was a fair proposition. The Committee on Agriculture brought this bill to the floor of the House at the end of the last session after we passed the wheat bill, believing that we should do this sort of thing in order to be fair. It was objected to at that time, and at that time we tried to bring it up under a suspension of the rules. It received 213 votes to 149 votes against it. I am sure that most of those

who voted against it then did so because they did not understand it.

Mr. Chairman, this bill is not a partisan measure in any sense of the word. The bill being considered is a Senate bill. Senator CARLSON of Kansas is the author of the bill we are considering. The bill that the House considered was a House bill which had been introduced by Representative BREEDING. Representative BREEDING and Senator CARLSON are not of the same political party, but they are both interested in maintaining a fair and equitable situation in this area of American agriculture. It is with that in mind, and with no effort to give anybody any political advantage, that the Committee on Agriculture of the House of Representatives has brought this bill before you. We bring the Senate bill simply because by so doing we can get action more promptly than we could were we to act on the Breeding bill. We plead with you that you give to these farmers who are put in a difficult position the opportunity to save not only their land, but all the land of America, in order to prevent the development of further dust bowls.

Mr. Chairman, we do not ask you to spend any money to do it. We do not ask you to undertake any additional obligations on the part of the Government. We do not ask you to give any special privileges to anyone. But we do ask that you think of America, and that you prevent as far as you can the repetition of the dust bowl days.

Mr. Chairman, I reserve the balance of my time.

Mr. QUIE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I have withdrawn my objection to this legislation. The situation is different now that spring is here. We have the wording of Senator CARLSON's bill before us, which makes the meaning of this legislation abundantly clear. Farmers have made their decision on the land in their fall plantings. Last year, I felt that the bill which we considered was an inducement for a farmer to plant additional barley and thereby create additional competition for the historic barley growers. However, they have made their decision, but some have planted winter barley on the acres to be diverted from wheat. If we do not pass this bill they will have to plow under that barley and go to the expense of putting in grain sorghums. In order to save the farmers that cost and at no greater governmental expense, we have this legislation now pending before us. If we save the farmers that cost, undoubtedly more of them will want to take part in the 1962 feed grains program and the feed grain program will then be more of a success.

Mr. Chairman, I might point out, however, that the farmers who chose to plant their diverted acres to wheat in order to prevent the land from blowing will have to plow under that wheat, whether this is sensible or not. For those who chose to plant barley this bill comes as a real break. This is not in any way going to add to the total acreage of feed grains, but only substitutes barley for

grain sorghum. I think that the objection I had last year, and the objection of others, should be withdrawn this year, and that this 1-year bill should be passed.

Mr. Chairman, I yield 5 minutes to the gentleman from Kansas [Mr. DOLE].

(Mr. DOLE asked and was given permission to revise and extend his remarks.)

Mr. DOLE. Mr. Chairman, I think both Mr. POAGE and Mr. QUIE have made it very clear that this is a noncontroversial bill. It is a nonpartisan bill, as it has the support of both sides of the House. We are now considering the Senate bill of Senator FRANK CARLSON, of Kansas.

Mr. Chairman, I want to make it amply clear that this measure will not cost any additional money. The Carlson bill provides relief only for those farmers who had a wheat and feed grain base and certainly there should be no serious objection to it.

Mr. Chairman, as Mr. POAGE so well illustrated on the blackboard, only certain farmers can qualify. A farmer without a feed grain base cannot benefit from this bill and as Mr. QUIE so ably stated, the incentive to plant great quantities of barley is gone now. This will protect only those farmers who planted winter barley last year and who are about to be required to dispose of this barley unless some action is taken by the House today.

The bill is designed to permit farmers, without plowing up their barley, to receive barley and grain sorghum price supports. They can participate in the grain and sorghum diversion program but in order to do so they must reduce their feed grain acreage to the extent necessary to bring their acreage of corn, grain sorghum, and barley down to not more than 80 percent of the 1959-60 average acreage of these three crops.

I am certain Mr. BREEDING will probably agree that enactment of this program will increase the signup in the 1962 feed grain program. I have had many, many letters, and perhaps other Members who represent summer fallow areas have heard from farmers who say they will not sign up because of this barley confusion.

If this bill is enacted, signup in the feed grain program will be increased which should help reduce feed grain surpluses.

The subject matter in this bill is not new, for during the course of considering the Agricultural Act of 1961 on the House floor last year, an amendment was offered by the gentleman from Montana [Mr. BATTIN] which would have accomplished essentially the same thing as the Carlson bill now before us. The House adopted the Battin amendment; however it was lost in conference.

In addition, a somewhat similar House bill had been unsuccessfully considered and I have made repeated efforts to obtain relief by administrative order through the USDA. The Carlson bill, as passed, is different than the House version and as shown in the committee report the Department of Agriculture has given its approval contingent on adop-

tion of a clarifying amendment. This was done in the other body and I trust the bill will now receive unanimous support in the House.

Mr. SHORT. Mr. Chairman, I yield 3 minutes to the gentleman from Montana [Mr. BATTIN].

(Mr. BATTIN asked and was given permission to revise and extend his remarks.)

Mr. BATTIN. Mr. Chairman, first of all I should like to compliment the House Committee on Agriculture for bringing this bill before us today. If you will recall, when we considered the Agricultural Act of 1961 which was before the House at the last session, an amendment was offered on the floor by the gentleman from Montana which would do basically what is being done now. The House at that time adopted the amendment that I offered and, as a matter of fact, through the courtesy of the chairman of the committee, Mr. COOLEY, and the gentleman who has control of the time today, Mr. POAGE, and through the efforts of the gentleman from Oklahoma [Mr. ALBERT], and others, the amendment was accepted. At the time the bill left the House there was a difference between the House bill and the Senate bill and it was necessary to go to conference. The conferees on the House side I am informed did all they could to retain my amendment; but, as often happens in conferences, the amendment was lost. We now find the Senate passing virtually the same bill and sending it over to the House. The only thing I have to say is that I hope the attitude of the House now will be the same as it was in the last session and that we will be able to secure this very needed legislation and send it to the President in order to do justice and equity to the people engaged in the production of barley.

Mr. POAGE. Mr. Chairman, I yield 5 minutes to the gentleman from Kansas [Mr. BREEDING].

Mr. BREEDING. Mr. Chairman, I want to tell you a little bit about the history of this legislation. On August 23, last year, I introduced this bill in the House. On August 28, a week later, I reintroduced it because of a correction in a date on the previous bill. The bill was known as H.R. 8914. Then again on January 10, 1962, I introduced this bill. Senator CARLSON, of Kansas, introduced the same bill in the Senate on September 12, last, and reintroduced it this year on February 8. The Senate has acted upon his bill and today we have accepted the Senate bill. S. 2533, our rule here today applies to the Senate bill.

Certainly, I think the Senate bill does exactly the same thing as the House bill which I introduced and I am certainly willing to accept the Senate bill. What Congressman POAGE has told you is exactly how this bill would work. He has certainly done an excellent job so that all of us should understand plainly how it operates.

I want to make this remark about Congressman BATTIN of Montana when he said he introduced this measure last year in the omnibus farm bill. He did,

and I supported him on the House floor. I made a short talk in behalf of that legislation and when we voted on the bill in the House, the bill went out with Congressman BATTIN's amendment in it. His amendment would have done practically the same as the bill we are now considering. But in the processing of this legislation, the other body did not have it included in their bill. Later it was taken out in conference and that is the reason for the introduction of H.R. 8914 on August 28, 1961.

I appreciate the help we have had from the committee on this bill. I appreciate the help we have had from both sides of the political aisle here. I appreciate the support from the gentleman on the north side, Mr. DOLE, who represents practically the same area of Kansas as I do. We are both in unity on this bill and we both support it.

Mr. BECKER. Mr. Chairman, will the gentleman yield?

Mr. BREEDING. I am glad to yield to the gentleman from New York.

Mr. BECKER. I am quite sure that all the farm Representatives here on the floor are in unity. As a matter of fact, it sounds like hearts and flowers being played here during the last half hour. But I am wondering where the consumers of the country come in when we talk about these farm programs. The point I want to make to the gentleman from Kansas, and the point I made last year when I objected to this legislation, as I do today, is to raise this question which I asked before. Is this program going to cost the taxpayers any more money? I have been told no.

Mr. BREEDING. And the answer is still no.

Mr. BECKER. I know that, but we get the doubletalk now with reference to the same paragraph which I read last year from the report on your bill. I would like to read it again. This is as to the cost. This means something to me. This language is as follows:

The committee is not aware of any additional direct cost to the Government as the result of the enactment of this legislation, but it believes it will bring about a wider participation in the feed grain reduction program in which case.

In which case, I repeat:

There would be the additional cost to that program resulting from the additional participation.

Now if that does not mean there is going to be additional cost, then I do not know what this means, and this has not been changed since last year.

Mr. BREEDING. Does the gentleman not believe that if there is more participation in the feed grain program, there would be less surplus and less cost to the taxpayer?

Mr. BECKER. Then why have more participation, if we are having too much now? In that case, your legislation is basically wrong?

Mr. BREEDING. That is a matter of opinion.

Mr. BECKER. If there is too much feed grain now, and if there is too much wheat now, and you are going to permit more participation, this is going to cost

more money so all we are going to do is aggravate a farm situation that we have been aggravating for 20 years.

Mr. BREEDING. I do not agree with the gentleman from New York because I think this kind of legislation most certainly will cut down the oversupply and cut down the extra production. It seems to me, if the gentleman from New York is representing the taxpayers, he would be interested in cutting down production and relieving all of us on extra taxes.

Mr. BATTIN. Mr. Chairman, will the gentleman yield?

Mr. BREEDING. I yield to the gentleman from Montana.

Mr. BATTIN. First of all, I think if the gentleman from New York would examine the bill and follow the explanation given by the gentleman from Texas as to this involving nothing more than an actual exchange of acreage, it would answer the question.

Further, I want to thank the gentleman from Kansas for the kind remarks he made concerning my efforts in behalf of this legislation.

Mr. BECKER. In reply to the statement just made by the gentleman from Montana, I have listened to the explanation for many, many years on the floor of the House. I have seen the farmers on the Democratic side getting into arguments amongst themselves. I have seen the Republican farmers or the farmers on the Republican side getting into arguments amongst themselves. I have seen both sides getting into arguments and they cannot agree. How are we supposed to agree to a program like this?

Mr. BREEDING. Well, I suggest to the gentleman from New York that he follow the farm leadership in the House.

Mr. DOLE. Mr. Chairman, will the gentleman yield?

Mr. BREEDING. I yield to the gentleman from Kansas.

Mr. DOLE. I think I can answer the gentleman from New York. I might point out that the other body did make one minor change and it does prevent any possibility that the farmers will reap any windfall on this, and you avoid any possibility of any extra cost. There were a few sentences added on the Senate side which I think should answer any question the gentleman may have on that point.

Mr. BREEDING. Mr. Chairman, I urge Members to adopt this legislation.

Mr. Chairman, I yield back the balance of my time.

Mr. SHORT. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. BECKER].

Mr. BECKER. Mr. Chairman, I am trying to bring out this matter of additional cost which seems to be inherent always in these farm programs. Let me say that I come from a consumer area where there are millions of people. I realize that they are subject in the first instance to the taxes—together with people generally throughout the Nation—that support the farm surplus program, the soil bank program, and others. Second, because they pay these taxes on crops to keep them out of production

which raises the price of the produce they have to buy, and the greatest part of the income of low-income families is spent on food. I side with the consumer, especially those from the low-income families.

In this connection let me refer you to the subcommittee hearings of the 87th Congress, pages 111 and 112 where the gentleman from Minnesota [Mr. ANDERSEN] is interrogating Secretary of Agriculture Freeman:

Mr. ANDERSEN. Now, you say it is proving to be costly or will prove to be too costly in the future. Is that it?

Secretary FREEMAN. It has been costly.

Mr. ANDERSEN. Has been?

Secretary FREEMAN. Yes, sir; it has been costly. But we were able, so long as we had substantial stocks on hand, to offset expenditures for it through the medium of payments in kind. But the program has been costly and the savings involved have been in relation to what it would have cost under the permanent law we now have on the books.

He goes on further and says that it would have cost more in this fiscal year, at least \$75 million more under the old program.

Do these statements mean what they say?

I have not seen a farm program yet that did not cost the consumer and the taxpayers more money, and I cannot conceive of this program not costing more money to the taxpayers.

Mr. SHORT. Mr. Chairman, I yield 3 minutes to the gentleman from Colorado [Mr. DOMINICK].

Mr. POAGE. Mr. Chairman, I understood the gentleman a few minutes ago to say he had no further speakers.

Mr. SHORT. I said that at the moment I had no further requests for time.

Mr. POAGE. I am just wondering now whether you are going to debate this whole thing anew.

Mr. SHORT. I would say to the gentleman from Texas that I do not believe the gentleman from Colorado is going to say anything in opposition to the bill.

(Mr. DOMINICK asked and was given permission to revise and extend his remarks.)

Mr. DOMINICK. Mr. Chairman, I want to congratulate the Committee on Agriculture on coming up with a bill that I think provides equity to the farmers of the country without increasing the costs, in spite of what my friend from New York said.

I take this opportunity, if I may, to inquire of the gentleman from Texas regarding a few matters, principally about summer fallowing, which I think may be of some importance to his area and mine, and this has not any particular connection with the barley section.

We have a provision in the act now which permits any farmer to grow oilseed crops on diverted acreage if they give up their payments for the lands which have been retired. It has come to my attention that, in certain sections in any event, the Department of Agriculture has taken the position that if you plant oilseed crops on fallow land and actually go ahead and harvest you are then in danger of being declared not in compliance with this program. Does the gentleman have any knowledge of

this? In other words, is there any provision in this act or any other that the gentleman knows of which prohibits a farmer from being in compliance and still planting oilseed crops on fallow land?

Mr. POAGE. I think I know what the gentleman is talking about. I do not live in a summer fallow area. It is academic as far as my particular acres are concerned because we have no summer fallow land.

There is a requirement in the present law that there must be an overall reduction, there must be as much land left out of cultivation this year as there was last year. In other words, if on a farm a man had failed to farm 50 acres last year, he has to leave that much land out of production this year if he meets the requirements of the feed grain or the wheat provision. I think that is what the gentleman is talking about, where someone has not been cultivating this land or did not do it last year, and he now comes along and puts it into a crop. When the gentleman uses the term "oilseed crops" that is too inclusive because the law refers only to certain crops that are not in surplus and that are being imported into the United States. In other words, it does not apply to soybeans and cottonseed.

Mr. DOMINICK. I was thinking of four crops.

Mr. POAGE. There are five: namely, safflower, sunflower, sesame, castor beans, and guar. I think where the gentleman's confusion lies is in the fact that the law does require that the cooperator shall have as much fallow land this year as he had last year. It is not a matter of putting a penalty on the oilseed crops. It is a matter of failing to comply with the requirements on land. You can understand, if I have not been farming but 100 acres and if I put 50 in, then take 50 out of my 100 acres that I farmed last year, I have not brought about any total reduction in land. That is what that relates to.

Mr. DOMINICK. I would suggest we have been trying nationwide to find some method by which nonsurplus crops which will bring in cash can be made available to the dry land areas, where you have only one cash crop now. I would certainly hope that if you think the action of the State Department is correct in saying you cannot use these crops on summer fallow land that consideration be given by the Agriculture Committee to fixing up an amendment which will provide an additional source of income for these people without creating a surplus problem.

Mr. POAGE. Just yesterday or the day before the subcommittee considered the Purcell bill. This bill would authorize the planting of any of these five-named crops which are more restrictive than the oilseed crops, the five deficit crops, let us call them. That bill would provide you may plant those crops on the retired acres and draw only 50 percent of the normal payment. If you can get these crops planted, and we need the crops, if they are planted on the retired acres it saves the Government 50 percent, and the Government will get all

of the retirement of land it otherwise would get. There has been no action on that bill as yet, but the committee has it under consideration, and had a hearing on it day before yesterday.

Mr. DOMINICK. I certainly thank the gentleman from Texas. I am glad action is being taken on this.

The CHAIRMAN. If there are no further requests for time, the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 105(c)(4) of the Agricultural Act of 1949 is amended by changing the parenthetical statement in the first sentence to read as follows: "(except in the case of a producer of malting barley as hereinafter described and except in the case of a producer of barley on a summer-fallow farm as hereinafter described)", and by changing the period at the end of such section to a colon and adding the following: "Provided further, That no producer of barley on a farm where summer fallow is the normal practice shall be required to participate in the special agricultural conservation program for 1962 for barley if he (1) does not knowingly devote an acreage on the farm to barley in excess of the average acreage devoted on the farm to barley in 1959 and 1960 plus the acreage devoted to summer fallow in 1961 which is diverted from the production of wheat under the special 1962 wheat program, and (2) does not knowingly devote an acreage on the farm to corn, grain sorghums, and barley in excess of 80 per centum of the average acreage devoted on the farm to corn, grain sorghums, and barley in 1959 and 1960."

SEC. 2. Section 16(d)(1) of the Soil Conservation and Domestic Allotment Act is amended by changing the parenthetical statement in the second sentence to read as follows: "(other than a producer of malting barley as described in section 105(c)(4) of the Agricultural Act of 1949, or a producer of barley on a summer-fallow farm as described in such section)", and by inserting after the second sentence a new sentence reading as follows: "The excess, if any, of the acreage devoted to barley in 1962 on a summer-fallow farm as described in section 105(c)(4) of the Agricultural Act of 1949 over the average acreage devoted to barley on such farm in 1959 and 1960 shall be considered as planted to corn and grain sorghums for the purpose of determining extent of participation and payments under the special agricultural conservation program for 1962 for corn and grain sorghums."

(Mr. BERRY asked and was given permission to revise and extend his remarks.)

Mr. BERRY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I have been listening to the debate on this bill with a great deal of interest. The question arises on this bill as it arises on every bill dealing with agriculture, and that is the question of why we need a farm subsidy.

In the brief time allotted to me, I would like to just point out again that American agriculture actually needs no subsidy. We have no farm surplus problem arising from overproduction. We have a farm surplus, to be sure, but it is not a surplus created by the American farmer. It is a surplus created by foreign imports.

Agriculture is simply the first industry to feel the drastic results of foreign imports. The President has recommended severe cuts in import quotas and tariffs.

He recognizes that such tariff reductions will have a disastrous effect upon many industries. He recommends a subsidy program similar to the farm program to salve the industry thus affected.

The President also recognizes that when industries are put out of business, labor will seriously be affected, and he recommends a subsidy program similar to the farm subsidy program to salve affected labor.

Already our mining industry has practically been put out of business by foreign imports, and rather than protect the American mining industry, Congress has provided subsidy programs similar to the farm subsidy program to cushion the ill effects of imports, and has established a mineral stockpile program by way of subsidizing this industry.

The farm program is simply the first industry to be universally affected by imports. If the President's trade bill is passed, we will have dozens of similar programs subsidizing dozens of other industries and the labor from those industries.

My purpose today is to give to this House an example of what I mean when I say there is no farm problem, but simply an import problem.

The Department of Agriculture estimates that on a nationwide basis it requires the production of 20 acres to produce a beef and put it on the market. Last year our live beef imports were 910,000 head. If this 910,000 head of beef had been produced in this country, the production of 18,200,000 acres would have been required to produce that number of beef. In other words, Mr. Chairman, the production of 18,200,000 American acres were displaced by live beef imports.

In addition to the live beef, we imported 527.5 million pounds of beef. According to the formula used by the Department of Agriculture, the carcass equivalent of this 527.5 million pounds is 1,376,775 head of beef. At 20 acres per head, it would have required the production of 27,535,500 acres to put this beef on the market, or, if you please, beef imports alone last year displaced the production of 45,735,500 American acres.

Now, let us take a look at the other side of the coin. Last year we exported 24,012 head of live beef which required 480,240 acres to produce. We exported 29.9 million pounds, or the carcass equivalent of 72,657 head, which required 1,453,140 acres to produce. The acreage required to produce our total beef exports last year was 2,932,390 acres.

In order to get a complete picture, we must deduct the acres required to produce our exports from the acres displaced by imports, and we find that the difference is 42,803,120 acres. This, Mr. Chairman, is the American acreage displaced by beef imports alone. In his message on agriculture, the President indicated that in order to help solve the farm problem, he wanted to buy and take out of production 50 million acres. Permitting the American farmer to produce just the beef that went onto the American tables last year would have required the production of within 7 mil-

lion acres of the 50 million acres he recommends taking out of production to solve the farm problem.

Mr. Chairman, would it be more sensible to permit the American farmer to produce the beef that is consumed in this country and make the greatest use of the production from our farmland, or is it better to open our borders to beef imports and ask the taxpayer to buy up and take out of production 50 million acres?

Mr. Chairman, beef is only one example of the millions of acres of American productive land that are displaced by foreign imports. Wool, sugar, pork, and lamb imports displace many more millions of acres. During the past 10 years, the disappearance of oats, barley, and rye have been greater than the American production, and yet we have in storage today more than 400 million bushels of these feed grains costing us some \$20 million per year in storage costs.

Before going into a vast program of tariff reductions that will similarly affect dozens and dozens of industries creating dozens of similar headaches, it might be well to take a firm look at the headache created by competitive agricultural imports alone.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. HALEY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 2533) to amend the requirements for participation in the 1962 feed grain program, pursuant to House Resolution 572, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

A similar House bill, H.R. 8914, was laid on the table.

FREE ENTRY OF CERTAIN STEEL FOR CHIPPEWA COUNTY WAR MEMORIAL HOSPITAL, SAULT STE. MARIE, MICH.

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 9778) to provide for the free entry of certain steel and steel products donated for an addition to the Chippewa County War Memorial Hospital, Sault Ste. Marie, Mich., which was unanimously reported favorably by the Committee on Ways and Means without amendment.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. ARENDS. Mr. Speaker, reserving the right to object, and I shall not object, I would appreciate it if the chairman of the Committee on Ways and Means, the gentleman from Arkansas [Mr. MILLS], would give a short explanation of what the bill involves.

Mr. MILLS. Mr. Speaker, I would be glad to do so. Mr. Speaker, the purpose of the bill, H.R. 9778, is to authorize and direct the Secretary of the Treasury to admit free of import duties any steel and any steel products donated by the Algoma Steel Corp. Ltd., Sault Ste. Marie, Canada, and imported for use in the construction of an addition to the Chippewa County War Memorial Hospital, Sault Ste. Marie, Mich.

The Chippewa County War Memorial Hospital, located in Sault Ste. Marie, Mich., is a public, nonprofit hospital which serves the people of Sault Ste. Marie, Mich., and Sault Ste. Marie, Ontario, Canada. This hospital is planning to build an addition to its existing facilities and the Committee on Ways and Means is advised that the funds for each addition are being raised by public subscription.

The Algoma Steel Corp. Ltd., of Sault Ste. Marie, Ontario, Canada, has undertaken to donate approximately 120 tons of high tensile strength structural steel for use in the construction of this addition to the hospital. In the absence of legislation such as H.R. 9778, any steel so donated, when the same enters the United States, would be subject to duty.

Your committee feels that the circumstances of this case are such that the steel in question donated by a Canadian company for use in building an addition to a public, nonprofit hospital in the United States, should be admitted free of duty.

The Committee on Ways and Means is unanimous in recommending passage of H.R. 9778.

(Mr. KNOX (at the request of Mr. MILLS) was given permission to extend his remarks at this point in the RECORD, and include extraneous matter.)

Mr. KNOX. Mr. Speaker, I rise in support of H.R. 9778 which provides for the free entry of 120 tons of high tensile strength steel which the Algoma Steel Corp. of Sault Ste. Marie, Ontario, Canada, has donated as a gift for the construction of an addition to the Chippewa County Memorial Hospital, a public institution in Sault Ste. Marie, Mich.

The enactment of this legislation would make possible the starting of construction this coming year.

The unanimous vote accorded the passage of the bill is deeply appreciated by the residents of Sault Ste. Marie, Mich.

Mr. ARENDS. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WITHHOLDING OF TAX ON DIVIDENDS AND INTEREST

(Mr. KEOGH (at the request of Mr. ALBERT) was granted permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. KEOGH. Mr. Speaker, there is considerable misunderstanding as to the operation of the withholding provisions in the proposed Revenue Act of 1962. Some claim withholding is unnecessary because the Internal Revenue is installing new electronic automatic data processing—ADP—machines. Others say that the burden of the withholding system on payers of dividends and interest would prove unmanageable and that the exemption procedure contained in the pending legislation—designed to protect the current income of individuals with no tax liability—is unworkable.

I say each of these arguments is incorrect.

As to the claim that automatic data processing machines, coupled with the use of taxpayer account numbers and information returns filed by business, would collect the tax due on unreported interest and dividends which are now escaping tax in amounts of more than \$800 million annually, some say that a tax administrative official, Deputy Commissioner Harding, made a speech in April 1961—actually the speech was made on September 29, 1960—to the effect that ADP would be effective in this area. At that time the Internal Revenue Service was in the preliminary planning stage of an ADP system and had not had the opportunity and experience which it has since had to study exhaustively the relative gains and the relative costs of ADP and withholding as alternative systems.

The Internal Revenue Service has now carefully studied the application of ADP and withholding to the problem of unreported dividend and interest income. It is the unequivocal conclusion of the IRS, which is charged with the administration and enforcement of our tax laws, that withholding would be less costly to the Government and to payers generally than the less effective alternative of ADP. Automatic data processing would have to be coupled with a vast increase in IRS enforcement personnel in order to be effective.

The significant point is this: automatic data processing does not and cannot collect a single dollar in taxes. What ADP can do is identify possible tax evaders. Once such identification has been made, the normal IRS followup procedure through audits and agents is still required. IRS Commissioner Mortimer Caplin, after a comprehensive study of the problem, has concluded that without withholding it would require the addition of thousands to IRS enforcement staff to insure collection of only \$200 million of the \$300 million in taxes currently owed but not being paid on interest and dividend income. This is because followup agent calls could reasonably be made on only the largest suspected evaders of this tax—once they had been identified by ADP. The total

cost of use of ADP and increased enforcement activity to collect only this \$200 million has been estimated by Mr. Caplin at \$27 million.

In contrast, the withholding system will capture \$650 million in taxes annually at a cost to IRS of only \$19 million. At the maximum no more than \$200 million of the over \$800 million could be recovered by an ADP system without withholding.

What many fail to see is that with all the requirements and costs of an ADP system, it would, at the most, only do a small part of the job that withholding can do more cheaply. It is difficult to understand why some people keep pressing for a system that the administrative experts regard as ineffective.

With a withholding system to collect the taxes owed by the great majority of interest and dividend recipients, ADP and enforcement personnel will be free to concentrate on collecting the remaining \$150 million of unpaid taxes on interest and dividends received by high income individuals. In addition, they will be able to concentrate on other areas of unreported income where there is no automatic collection device such as withholding at source.

Furthermore, the Service concludes that an expanded information return system would be more costly to dividend and interest payers than withholding and would be unworkable on some types of interest. Information returns are presently required for interest payments over \$600 and for dividend payments over \$10. No information returns are required in the case of corporate bond interest. According to the Internal Revenue Service, without withholding it would be necessary to require 250 million information returns with respect to interest and dividend payments, if a substantial part of the dividends and interest now escaping tax is to be collected with the help of automatic data processing; at present with the \$600 floor on reporting of interest, only 100 million returns are filed annually. A low floor for interest reporting may be expected to add considerable costs and burdens to payers because of the large volume of such interest transactions. Payers have pointed this out to the Treasury.

What happened in 1951 is indicative of attitudes toward extended information returns. The Congress in that year gave discretionary authority to the Treasury to require information reporting of interest of any amount. The protests of payers of interest, largely because of costs, were so great that the Treasury had to abandon the plan to lower the \$600 reporting floor on interest despite the existence of clear-cut authorization from the Congress to lower the floor.

On the other hand, a definite attempt has been made to offset the additional costs to interest and dividend payers under withholding. H.R. 10650 permits payers to remit withheld amounts 30 days after the quarter in which those amounts were withheld. In effect, this permits payers to retain withheld amounts for up to 4 months and to make productive use of those funds. This

provision was specifically designed to compensate dividend and interest payers for the additional burdens of withholding.

It is argued that withholding would involve tremendous amounts of overwithholding. According to Treasury estimates, \$3 billion will be withheld on individuals, of which only \$170 million would be overwithheld. This is a mere 5 percent overwithholding. Withholding on wages, on the other hand, has an overwithholding factor of over 14 percent. It is safe to say therefore that the withholding system for dividends and interest will be considerably more efficient from an overwithholding standpoint than the wage withholding system.

The comparison of the dividend and interest withholding system with the wage withholding system on the basis of numbers of people who would be overwithheld also indicates that the former will produce far less overwithholding.

At present, 37 million wage and salary earners are overwithheld, out of a total of 51 million subject to withholding. The dividend and interest withholding system under H.R. 10650, on the other hand, would overwithhold only 2 million taxpayers. Thus, 73 percent of wage and salary earners are overwithheld while only 13 percent of dividend and interest recipients subject to withholding would be overwithheld. Moreover, for half of these recipients the amount overwithheld will be \$10 or less for the year.

IRS' experience with refunding the overwithheld portion of wage and salary income also provides a compelling answer to the charge that those to whom refund payments are due will be "at the mercy of the redtape mill of a Federal agency." IRS has, in fact, made the refund payments to the 37 million wage and salary taxpayers now entitled to them within 1 month in most cases.

Moreover, as a general rule, taxpayers appear delighted to receive tax refunds. The average refund paid to the taxable wage and salary earner overwithheld on is \$143. In fact, many taxpayers voluntarily have their employers overwithhold on their wages as a form of saving. As you can see, some have tried to make a monster out of overwithholding when in reality the problem is largely nonexistent.

The incidence of overwithholding on interest and dividends will be relatively small because the bill has provided a reasonable and fair exemption system for those who have no tax liability at all. This system is also a simple one—contrary to the charges of its critics. For those who pay interest and dividends, it will be far less complex than the withholding system in effect for 20 years on wages and salaries, which encompasses multiple withholding tables because of variations in the claims for personal exemptions. Only one withholding rate will apply to dividends and interest. Taxes will either be withheld or they will not.

Payments of withheld taxes on dividends and interest will be made by the withholding agent to the Government in one lump sum quarterly. Business will not be required to maintain records of



Public Law 87-425
87th Congress, S. 2533
March 30, 1962

An Act

76 STAT. 50.

To amend the requirements for participation in the 1962 feed grain program.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 105 (c) (4) of the Agricultural Act of 1949 is amended by changing the parenthetical statement in the first sentence to read as follows: *“(except in the case of a producer of malting barley as hereinafter described and except in the case of a producer of barley on a summer-fallow farm as hereinafter described)”*, and by changing the period at the end of such section to a colon and adding the following: *“Provided further, That no producer of barley on a farm where summer fallow is the normal practice shall be required to participate in the special agricultural conservation program for 1962 for barley if he (i) does not knowingly devote an acreage on the farm to barley in excess of the average acreage devoted on the farm to barley in 1959 and 1960 plus the acreage devoted to summer fallow in 1961 which is diverted from the production of wheat under the special 1962 wheat program, and (ii) does not knowingly devote an acreage on the farm to corn, grain sorghums, and barley in excess of 80 per centum of the average acreage devoted on the farm to corn, grain sorghums, and barley in 1959 and 1960.”*

SEC. 2. Section 16(d) (1) of the Soil Conservation and Domestic Allotment Act is amended by changing the parenthetical statement in the second sentence to read as follows: *“(other than a producer of malting barley as described in section 105(c) (4) of the Agricultural Act of 1949, or a producer of barley on a summer-fallow farm as described in such section)”*, and by inserting after the second sentence a new sentence reading as follows: *“The excess, if any, of the acreage devoted to barley in 1962 on a summer-fallow farm as described in section 105(c) (4) of the Agricultural Act of 1949 over the average acreage devoted to barley on such farm in 1959 and 1960 shall be considered as planted to corn and grain sorghums for the purpose of determining extent of participation and payments under the special agricultural conservation program for 1962 for corn and grain sorghums.”*

Approved March 30, 1962.

